

RESPONSES TO NOTICE OF PREPARATION COMMENT LETTERS

The City of San Jose received 97 comment letters in response to the Notice of Preparation (NOP) which circulated from October 15 to November 19, 2014. In addition, the City received written public comments from a scoping meeting held on October 20th, 2014. Copies of the comments are provided in Appendix I of this EIR. Responses are only provided for comment letters received during the published NOP comment period. Comments received prior to issuance of the NOP on October 15, 2014 are not included in this EIR, but are included as part of the public record for the proposed project.

Responses to the comments are provided below to give information to readers regarding where or how particular issues are addressed in this Draft EIR. For issues which are repeated in multiple letters, a Master Response is provided.

MASTER RESPONSE A:

IMPACTS TO TRAFFIC

The traffic analysis presented in this DEIR is based on very specific methodology established by the Congestion Management Agency and the City of San Jose. As such, the traffic impacts are addressed based on typical weekday peak hour traffic (i.e., the commute hours of 7 AM – 9 PM and 4 PM – 6 PM). Commute conditions are used specifically because they represent the daily worst case scenario. Seasonal holiday traffic does not represent standard operating conditions and, therefore, is not addressed in the DEIR nor in the TIA. Also, please note that there are no City Council adopted thresholds of significance for traffic outside the AM and PM peak hours. The traffic analysis addresses existing conditions, existing plus project conditions, background conditions (existing conditions plus approved but not yet constructed development), background plus project conditions, and cumulative conditions.

The transportation analysis, presented in Section 4.2 and Appendix A of the DEIR, provide a discussion of the projects potential impacts related to local intersection operations, transit, bicycle and pedestrian facilities, on-site access and circulation. The analysis also discusses operational issues including parking, the effects of project traffic on local residential streets, and queuing at signalized intersections. Please note that unmet parking demand is not evaluated in the DEIR as the project will comply with the City's parking requirements in the Municipal Code.

Mitigation measures were identified for all significant transportation impacts.

MASTER RESPONSE B:

IMPACTS TO SCHOOLS

The EIR addressed the potential impact of the proposed project on local schools in Section 5.0. The analysis looked at the existing enrollment and capacity of Lynhaven Elementary School, Monroe Middle School, and Del Mar High School and the estimated increase in students resulting from the project, based on student generation rates provided by the school districts. Under SB 50, school

districts may collect fees to offset the costs associated with increasing school capacity as a result of development. Under the terms of this statute, payment of statutory fees by property owners or property developers is deemed sufficient to mitigate in full for the purposes of CEQA any impacts to school facilities associated with a qualifying project. The fees are assessed based upon the proposed square footage of the new or expanded development.

MASTER RESPONSE C:

PROPERTY VALUES

The intent of CEQA is to analyze the physical effects of a proposed project on the environment. AS stated in Section 15131 of the CEQA Guidelines, “Economic or social effects of a project shall not be treated as significant effects on the environment.” As such, no analysis of property values has been provided in this EIR. Non-environmental related concerns of private citizens are considered separately as part of the planning process by City staff or City Council representatives.

MASTER RESPONSE D:

WATER SUPPLY

The water supplier for the project completed a Water Supply Assessment consistent with State guidelines. Please refer to Section 4.13 and Appendix H for a complete analysis of water usage in standard and drought years.

Per the Water Supply Assessment, total water usage for this Project is estimated at 147.9 acre-feet per year, a net increase of 110.8 acre-feet per year above water usage for the existing apartment complex. This increase represents a 0.08% increase in system demand above the total system demand for the San Jose Water Company in 2010. The Water Supply Assessment concluded that there is sufficient water available to supply the project based on the Santa Clara Valley Water District’s Urban Water Management Plan and current water conservation methods.

RESPONSES TO COMMENTS

Public Agencies

Letter A: **Santa Clara Valley Transportation Authority, November 14, 2014**

Comment A1:

Santa Clara Valley Transportation Authority (VTA) staff have reviewed the NOP for 650 residential units and 8,000 square feet of ground floor retail at the northwest corner of Winchester Boulevard and Williams Road. We have the following comments.

Land Use

VT A supports the proposed land use intensification at this infill location, currently served by VTA Local Line 60 and in close proximity to retail and services on Winchester Boulevard. This section of Winchester Boulevard is identified as a Corridor in VT A's Community Design &

Transportation (CDT) Program Cores, Corridors and Station Areas framework, which shows VTA and local jurisdiction priorities for supporting concentrated development in the County. The CDT Program was developed through an extensive community outreach strategy in partnership with VTA Member Agencies, and was endorsed by all 15 Santa Clara County cities and the county.

Response A1: The VTAs support for the proposed project is acknowledged.

Comment A2: Study Intersections

As noted in our comment letter dated August 6, 2014 on the Transportation Impact Analysis (TIA) Notification for the project, VTA recommends including the I-880 southbound off-ramp/Bascom Avenue CMP intersection for analysis. This recommendation is based on the VTA TIA guidelines that state: "A CMP intersection shall be included in a TIA if the proposed development project is expected to add 10 or more peak hour vehicles per lane to any intersection movement" (Section 2.2.1).

Response A2: Based on the 10 trip threshold noted by VTA, the I-880 southbound off-ramp/Bascom Avenue would not have a sufficient number of traffic trips associated with the proposed project to require analysis.

Comment A3: Transportation Demand Management - Transit Incentives

VTA encourages the City to work with the applicant to explore Transportation Demand Management (TDM) measures that would reduce the number of single-occupant vehicle trips generated by the project and increase transit ridership. VTA encourages the City to require the project applicant to provide transit fare incentives to residents of the development, such as free or discounted transit passes on a continuing basis, as a Condition of Approval of the project.

Response A3: The VTA's recommendation regarding requiring TDM measures for the project is acknowledged.

Comment A4: Pedestrian and Bicycle Accommodations

VTA requests that the DEIR and TIA address Pedestrian and Bicycle Accommodations in its analysis of Transportation/Circulation impacts of the project. Such analysis should consider the completeness of the pedestrian and bicycle network on roadways and intersections adjacent to and nearby the project site. VTA recommends that the City evaluate the feasibility of providing an additional pedestrian crossing of Winchester Boulevard at or near Neal Avenue, which would reduce walking distances for residents of the project to reach the northbound Local Line 60 bus stop by up to a quarter mile. The northwest corner of Winchester Boulevard and Williams Road adjacent to the site currently has a free right turn with a wide turning radius. VTA recommends squaring off this corner or otherwise reducing the speed of the right-turn lane to improve pedestrian safety. In addition, the project frontage already has consistent street trees, but relatively narrow 6-foot sidewalks which reduce to only 3-4 feet at the locations of tree wells. VTA recommends that the City work with the applicant to widen sidewalks along the project frontage. Resources on pedestrian quality of service, such as the Highway Capacity Manual 2010 Pedestrian Level of Service methodology, indicate that such accommodations improve pedestrian perceptions of comfort and safety on a roadway.

VTA also recommends that the City require bicycle parking consistent with City of San José bicycle parking standards as a Condition of Approval for the project. VTA supports bicycling as an

important transportation mode and thus recommends inclusion of conveniently located bicycle parking for the project. Bicycle parking facilities can include bicycle lockers or secure indoor parking for all-day storage and bicycle racks for short-term parking. VTA's Bicycle Technical Guidelines provide guidance for estimating supply, siting and design for bicycle parking facilities. This document may be downloaded from <http://www.vta.org/projects-andprograms/planning/bikes-bicycle-technical-guidelines-btg>.

Response A4: Please see Section 4.2 and Appendix A of this EIR for a full discussion of impacts to existing and planned pedestrian and bicycle facilities.

The City acknowledges VTAs recommendations for pedestrian improvements in the project area and will take those into consideration. Please note that no impacts to pedestrian facilities were identified in the EIR and TIA.

Bicycle parking is proposed as part of the project consistent with City standards.

Comment A5: Bus Service

VT A provides bus service along Winchester Boulevard and maintains a bus stop on southbound Winchester, south of Neal. VTA recommends that the project provide the following improvements for the bus stop:

- 22' wide curb lane or duckout per VTA standards
- 10' X 55 PCC bus pad constructed to VTA standards
- 8' X 40' sidewalk adjacent to the bus stop

Thank you for the opportunity to review this project.

Response A5: These are recommended project conditions and do not pertain to the scope of analysis in the EIR. The above-mentioned bus stop is not located along the project frontage.

Letter B: County of Santa Clara Roads and Airports Department, November 14, 2014

Comment B1: The County of Santa Clara Roads and Airports Department appreciates the opportunity to review the Notice of Preparation (NOP) and is submitting the following comments.

The NOP states that a Traffic Impact Analysis (TIA) will be prepared for the proposed project. The TIA should follow the latest adopted Congestion Management Program (CMP) TIA Guidelines to identify significant impacts for all signalized, unsignalized, CMP and non-CMP intersections on San Tomas Expressway from SR-82 (El Camino Real) to SR-17. The analysis should be conducted using County signal timing for expressway intersections, and the most recent CMP count and LOS data for CMP intersections. Please contact Roads Department Traffic Engineering and Operations Senior Engineer Ananth Prasad (408) 494-1342 or Ananth.Prasad@rda.sccgov.org for the correct signal timing.

The *Comprehensive County Expressway Planning Study - 2008 Update* adopted by the Board of Supervisors in March 2009 should be consulted for a list of mitigation measures for significant impacts to the expressways. Should the *Expressway Study* not include an improvement that would

mitigate a significant impact, the TIA should identify mitigation measures that would address the significant impact. Mitigation measures listed in the TIA should be incorporated into the EIR document.

Response B1: The TIA was prepared in accordance with all applicable guidelines. The TIA is provided in Appendix A of this DEIR.

Letter C: **California Department of Transportation, November 19, 2014**

Comment C1: Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the project referenced above. We have reviewed the NOP and have the following comments to offer.

Traffic Impact Analysis (TIA)

One of Caltrans' ongoing responsibilities is to collaborate with local agencies to avoid, eliminate, or reduce to insignificance potential adverse impacts by local development on State highways. We recommend using the Caltrans *Guide for the Preparation of Traffic Impact Studies* (TIS Guide) for determining which scenarios and methodologies to use in the analysis. The TIS Guide is a starting point for collaboration between the lead agency and Caltrans in determining when a TIA is needed. The appropriate level of study is determined by the particulars of a project, the prevailing highway conditions, and the forecasted traffic. The TIS Guide is available at the following website address: http://dot.ca.gov/hq/tpp/offices/ocp/igr_ceqa_files/tisguide.pdf.

The TIA should include:

1. Vicinity map, regional location map, and a site plan clearly showing project access in relation to nearby State roadways. Ingress and egress for all project components should be clearly identified. The State right-of-way (ROW) should be clearly identified. The maps should also include project driveways, local roads and intersections, parking, and transit facilities.
2. Project-related trip generation, distribution, and assignment. The assumptions and methodologies used to develop this information should be detailed in the study, and should be supported with appropriate documentation.
3. Average Daily Traffic, AM and PM peak hour volumes and levels of service (LOS) on all roadways where potentially significant impacts may occur, including crossroads and controlled intersections for existing, existing plus project, cumulative and cumulative plus project scenarios. Calculation of cumulative traffic volumes should consider all traffic-generated developments, both existing and future, that would affect study area roadways and intersections. The analysis should clearly identify the project's contribution to area traffic and any degradation to existing and cumulative LOS. Caltrans' LOS threshold, which is the transition between LOS C and D, and is explained in detail in the TIS Guide, should be applied to all State facilities.
4. Schematic illustration of traffic conditions including the project site and study area roadways, trip distribution percentages and volumes as well as intersection geometrics (i.e., lane configurations) for the scenarios described above.

5. The project site building potential identified in the General Plan. The project's consistency with both the Circulation Element of the General Plan and the Congestion Management Agency's Congestion Management Plan should be evaluated.
6. Identification of mitigation for any roadway mainline section or intersection with insufficient capacity to maintain an acceptable LOS with the addition of project-related and/or cumulative traffic.

Response C1: A full TIA was prepared in accordance with applicable requirements and guidelines and available traffic data. A discussion of the project's traffic impacts and proposed mitigation measures is provided in Section 4.2, *Transportation*. The full TIA is provided in Appendix A.

Comment C2: *Lead Agency*

As the lead agency, the City of San Jose (City) is responsible for all project mitigation, including any needed improvements to State highways. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

This information should also be presented in the Mitigation Monitoring and Reporting Plan of the environmental document. Required roadway improvements should be completed prior to issuance of the Certificate of Occupancy.

Response C2: All required project mitigation will be included in the Mitigation, Monitoring or Reporting Program (MMRP) for the project. The MMRP will specifically identify the timing for all project mitigation. If necessary, the project will comply with all Caltrans requirements for encroachment permits.

Comment C3: *Vehicle Trip Reduction*

Caltrans commends the City for its ongoing progress in locating needed housing, jobs and neighborhood services near major mass transit centers, with connecting streets configured to facilitate walking and biking. By doing so, the City promotes mass transit use and reducing regional vehicle miles traveled and traffic impacts on the State highways.

We also commend and encourage the City to continue developing Travel Demand Management (TDM) policies to promote usage of nearby public transit lines and reduce vehicle trips on the State Highway System. These policies could include lower parking ratios, car-sharing programs, bicycle parking and showers for residents and employees, and providing transit passes to residents and employees, among others.

In addition, please ensure secondary impacts on pedestrians and bicyclists resulting from any traffic impact mitigation measures are analyzed. Please ensure the analysis describes any pedestrian and bicycle mitigation measures and safety countermeasures that would in turn be needed as a means of maintaining and improving access to transit facilities and reducing vehicle trips and traffic impacts on State highways.

Response C3: The project is a mixed-use development that includes housing near existing jobs, services, and transit facilities which will help reduce overall traffic trips. The TIA addresses impacts to pedestrian and bicycles. Please refer Appendix A of the EIR.

Comment C4: *Traffic Impact Fees*

Please identify traffic impact fees to be used for project mitigation. Development plans should require traffic impact fees based on projected traffic and/or based on associated cost estimates for public transportation facilities necessitated by development. Scheduling and costs associated with planned improvements on State ROW should be listed, in addition to identifying viable funding sources correlated to the pace of improvements for roadway improvements, if any.

Response C4: Where applicable (i.e., an identified improvement has CEQA clearance and a funding mechanism), the project's payment of fair share fees for identified impacts has been disclosed. Please refer to Section 4.2 and Appendix A.

Comment C5: *Voluntary Contribution Program*

Interstate (I-) 280 and State Route (SR) 17 are critical to regional and interregional traffic in the San Francisco Bay region. They are vital to commuting, freight, and recreational traffic and are among the most congested regional facilities. Given the location of the proposed project and the traffic generated, along with other projects in the vicinity this project is likely to have a significant regional impact to the already congested State Highway System.

Caltrans encourages the City to participate in Santa Clara Valley Transportation Authority's (VTA) voluntary contribution program and plan for the impact of future growth on the regional transportation system. Contributions would be used to help fund regional transportation programs that improve the transportation system to lessen future traffic congestion, improve mobility by reducing time delays, and maintain reliability on major roadways throughout the San Francisco Bay Area. Reducing delays on State facilities will not only benefit the region, but also reduce any queuing on local roadways caused by highway congestion.

Response C5: This comment is acknowledged.

Comment C6: *Feasible Mitigation Measures*

Because of the location of the project, Caltrans recommends the City consider mitigation measure options that would allow the City to ensure that direct and indirect traffic impacts, as well as the contribution to cumulative traffic impacts, from the project are mitigated to the extent feasible. The capacity of I-280 and SR 17, and their ramps are already at near-capacity levels and all potential mitigation measures must be explored to minimize impacts created by the this project. Potential mitigation measures that include the requirements of other agencies such as Caltrans are fully enforceable through permit conditions, agreements, or other legally-binding instruments under the control of the City.

Response C6: This comment is acknowledged.

Organizations and Individuals

Letter D: **Carol Hammer, October 15, 2014**

Comment D1: Please include me on the Stakeholders list for the proposed rezoning of The Reserve Apartments at Williams and Winchester.

I am very concerned about the prospect of such a huge complex on this already “full to capacity” Winchester Blvd. Just yesterday, it took a code 3 ambulance five minutes to get through the intersection of Winchester and Moorpark.

Response D1: Please refer to Master Response A.

Comment D2: I have lived in this neighborhood all my life and have seen it go through many changes. I believe in the future of San Jose, but there must be concern for those of us who already live here.

Response D2: This comment is acknowledged and will be provided to the decision-makers as part of the public record.

Comment D3: What consideration has been given to the water needs of this proposed new development? Every day we are told to conserve, conserve, conserve. How does adding a seven story, high density residential project help conserve water?

Response D3: Please refer to Master Response D.

Letter E: **Charles Mayes, October 15, 2014**

Comment E1: There are my concerns in not allowing permits to any contractors including the one now who wants high density zoning at 1000 S. Winchester Blvd. property.

1. Car exhaust creates Environmental pollution. The Change of air we breath [sic] because of thousands of cars put on this street. Including Toys R Use changing to high density apartments.

Response E1: An air quality assessment was completed for the proposed project which addresses construction and operational emissions, including traffic emissions. Please refer to Section 4.4 and Appendix B for a complete analysis.

Comment E2: 2. The noise this will bring to our community, from People and Cars.

Response E2: A noise assessment was completed for the proposed project. Please refer to Section 4.5 and Appendix C for a complete analysis of project noise with operation of the project and during construction.

Comment E3: 3. Tree cutting for the change. There are rules for this.

Response E3: Please refer to Section 4.9, *Biological Resources*, for a complete discussion of the removal of trees from the project site.

Comment E4: 4. Social changes: Putting finically [sic] upper class people in the mix with the current population we live with today including gangs is bad. This will be a good target for the gangs who are already are targeting this area in crime. They live and walk off Winchester Blvd.

Response E4: These comments are acknowledged. Social issues are not in the scope of environmental analysis required under CEQA and are therefore not included in the EIR. The effect of the project on police services is discussed in Section 5.4 of the DEIR.

Comment E5: 5. These buildings are out of place in our physical surroundings which will change our environment.

This needs to stop and no permits given to developers within our area and on Winchester Blvd.

Response E5: These comments are acknowledged. Please see Section 4.1 of the DEIR for a discussion of land use effects of the project.

Letter F: **Crystal Isola, October 15, 2014**

Comment F1: I have heard that the planning commission is considering re-zoning Winchester Blvd & Williams Rd in San Jose for a 7 story condominium. I am very concerned about the impact on my neighborhood. I presume there will be development of the old century theaters lot as well. The traffic is terrible on Winchester between Moorpark and Steven's Creek. This re-zoning will bring the intolerable traffic further south. During holiday shopping season you might as well "forget about it" as the New Yorkers say. Winchester will be a parking lot from Williams to Steven's [sic] Creek. I won't be able to get out of my neighborhood to get to work or my kids to school. You have to park a mile away from the mall and Santana Row and walk during that time. With the new high density housing you would need to park 2 miles away. It is already difficult to get on to 280 north off Winchester heading north because off [sic] the traffic and light at certain times of the day. Please consider the already intolerable traffic and congestion we are experiencing here before compounding it. Please put me on the stakeholders list regarding this project.

Response F1: Please refer to Master Response A.

Letter G: **Daniel Allen, October 15, 2014**

Comment G1: My name is Daniel Allen. I have lived on Jericho lane in San Jose for 57 years (we moved in when I was 3 years old.) and I have always been able to see the sun in the early morning. If you allow the Reserve Apartments to rezone their building and build a 7 story monstrosity, then I will no longer see the morning sun.

Response G1: An analysis of impacts pertaining to shading from the proposed project is provided in Section 4.1, *Land Use*. Jericho Lane is more than 1,000 feet from the project site and will not be shaded by the proposed project.

Comment G2: Besides that this area is already deluged with traffic from Santana row and all of the dense housing around it, not to mention the water shortage, we have all had to cut back on usage. Where is the extra water going to come from?

Response G2: Please refer to Master Response A for traffic. Please refer to Master Response D for water supply.

Comment G3: There are way to [sic] many people in this valley let alone in this neighborhood. The dense housing you have allowed on Winchester Blvd. is out of hand. If you want to build a gigantic 7 story housing complex build it down in evergreen valley, there is a lot of space there. P.S. If this building is built I will campaign against you for the rest of my life. Have a good day.

Response G3: This is a comment that does not pertain to the scope of the EIR. These comments are acknowledged.

Letter H: **Edward Walzer, October 15, 2014**

Comment H1: I live off near the Reserve Apts on Walton Way. This is near Williams and Eden. The traffic this 7story Apts [sic] will generate with high density housing it too much with Santana Row and Valley Fair nearby.

Response H1: Please refer to Master Response A.

Letter I: **Jim Peterson, October 15, 2014**

Comment I1: Please place my name on the stakeholders list to receive updates on the rezoning issue at the Williams and Winchester blvd.

I'm strongly against this rezoning and construction project. Property values in our neighborhood will drop dramatically and cause extreme parking problems like what we have in the Huff ave and South Baywood area. Many of the residents in the area have no parking available for their visitors or their own cars and many times have their driveways block from the overflow cars that park in front of their homes from the apartments near them. Just drive thru this area in the evening and see what I'm talking about.

I live on the corner of South Baywood and Williams Rd. This is an extremely nice family type neighborhood that will be transformed into an area I will no longer want to live in. The City should start thinking about their current residents and stop thinking about how they can increase the tax income.

Response I1: The commenter's opinions regarding the project are acknowledged. Please see Master Responses A and C regarding traffic/parking concerns and property values, respectively.

Letter J: **Mike Glazzy, October 15, 2014**

Comment J1: I suggest all home/resident property owners on streets between Eden and Winchester and Williams and Parkmoor push for a permit parking zone to eliminate overload parking.

Response J1: This comment is acknowledged.

Letter K: **Sandy Sullivan, October 15, 2014**

Comment K1: I live in the neighborhood near Winchester and Williams. We love our neighborhood but one problem is all the high density housing. We have it at the end of our street. I live on Opal

Drive and my house backs up to the apartments called “The Reserve”. Currently there are approximately 218 units. On a normal day they are quiet, occasionally tenants get loud, but not often. I am told they plan to tear them down and increase the project to 600+ units. That increases the noise level in our yard.

Response K1: A noise assessment was completed for the proposed project. Please refer to Section 4.5 and Appendix C for a complete analysis of project noise resulting from operation and construction of the project.

Comment K2: Not only that, but the traffic problem will also increase. Right now we have people from “The Reserve” parking on our street. The apartments probably don’t have enough parking places for their extra cars. My street is continually filled with cars. Since the traffic pattern changes on Winchester Blvd and they added the beautiful park street on Winchester, traffic drives down my street, very very fast. This is also a danger to pedestrians and current residents.

Response K2: Please refer to Master Response A.

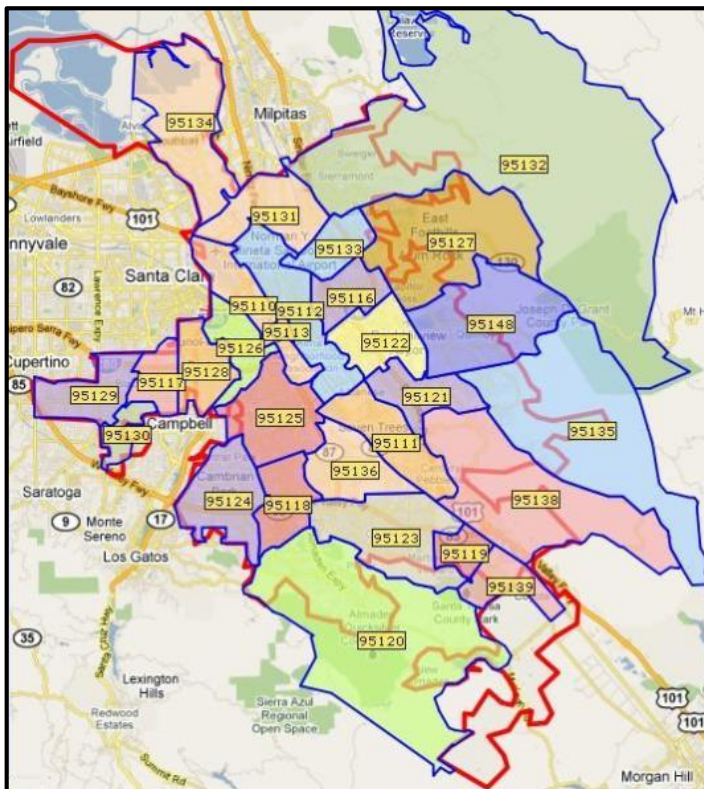
Comment K3: We have enough high density housing in our area. To go and rezone an area to add more density housing seems like a bad choice. I though these zoning rules were here to protect us so that the traffic does not become unbearable. Rezoning those apartments is a bad idea. I strongly encourage the planning commission and the City Council to absolutely refuse to rezone this property.

Here are some density stats:

Density in zip codes		
zip code	population density sq mi	rank
97117	11692.81	112
95126	9456.76	166
95120	925.52	835
95125	6488.49	307
95128	8922.82	183
95129	8581.47	193

Response K3: Please note that the density of residential development allowed on the project site is based on the current General Plan designation, not the zoning. The rezoning is proposed to allow the building heights to exceed 45 feet. Regarding the table above, it is unclear where the data was derived from or what the ranking designates. Nevertheless, the City of San Jose has 28 zip codes and the project site is located in zip code 95128. The table below lists the total population and density by zip code.¹

Zip	No. of Residents	Land Area	Density per Square Mile	Zip	No. of Residents	Land Area	Density per Square Mile
95116	47,858	3.6	13,327	95124	47,031	6.6	7,158
95117	29,924	2.6	11,637	95125	51,718	8.0	6,473
95122	52,829	4.8	11,111	95139	6,515	1.2	5,293
95111	56,572	5.4	10,441	95127	65,318	13.0	5,024
95126	31,343	3.3	9,540	95131	28,809	5.8	4,937
95130	14,265	1.6	9,157	95148	45,384	9.4	4,815
95136	42,382	4.7	9,052	95110	17,717	4.7	3,798
95128	34,776	3.9	8,908	95119	10,031	2.8	3,536
95121	38,094	4.4	8,589	95113	713	0.3	2,097
95129	38,450	4.5	8,512	95134	15,467	9.5	1,632
95133	25,772	3.2	8,066	95120	38,552	39.8	970
95123	61,994	8.3	7,429	95132	40,779	51.0	800
95118	30,455	4.1	7,357	95138	20,113	26.1	772
95112	50,940	7.1	7,183	95135	20,691	30.6	676



As is shown on the table, the project area is within the average range of density for the City with the more rural and hillside areas to the south and east having the lowest density and the more urban centralized locations having higher densities. The 2040 General Plan plans for intensification of growth in many areas of the City within 70 Urban Villages, including areas that currently have higher densities of population than the project area. The intensification of growth in the project area is consistent and comparable with other areas of the City.

¹ <http://www.city-data.com/zipmaps/San-Jose-California.html#top> (accessed June 23, 2015)

Letter L: Paul Monaco, October 15, 2014

Comment L1: I am writing you to oppose the development at the Reserve Apartments. I live in the neighborhood and it is hard to justify that kind of density with no transit or amenities. People will have to drive to get anywhere, even a cup of coffee. What is their parking requirements? Did notifications go out? I did not receive one.

Please try to imagine what this will do to our elementary school, which is already overcrowded.

I understand from a neighbor that the meeting is on the 20th. I'll plan to attend.

Response L1: Please refer to Master Responses A and B.

Notices for the scoping meeting were sent out to property owners within 1,000 feet of the project site per the City's Public Outreach Policy.

Letter M: John Morris, October 15, 2014

Comment M1: Please email development plans for above project. This looks like a HUGE project for this area looks like there will be traffic problems. Please send me any and all info you have for this project.

Response M1: All documents pertaining to the environmental review of the project are available on the City's website at <http://www.sanjoseca.gov/index.aspx?NID=2434>. Future public documents related to the environmental review of the project will be added as they become available.

Letter N: Rudy Arthofe, October 15, 2014

Comment N1: I was recently informed that there is a plan to rezone an area near Winchester and Williams in San Jose. This would lead to a 7 story structure being built with high density housing. I am very concerned with what this will do to the quality of life in the area. The increased traffic and congestion has already made significant changes over the last few years.

Response N1: Please refer to Master Response A.

Comment N2: I would like to be updated on these events as they move forward. Specifically knowing more details on the plans and understanding the delta between number of people/traffic now vs what is expected in the future. For the estimates of the future has a third party been utilized or only parties paid for by the group looking to change the zoning? Any information on understanding the impacts will be greatly appreciated.

Response N2: The EIR and TIA have been prepared in full compliance with the California Environmental Quality Act and addresses all potential impacts of the proposed project. The EIR specifically addresses the impacts that would result from the net increase in housing and resident population on the site.

Letter O: Sinead Dyer, October 15, 2014

Comment O1: Our neighbor, Ron Canario, informed us today that the San Jose Planning Commission is considering re-zoning the area on Winchester Boulevard and Williams Road (extending to Neal Avenue) to allow for the development of a seven-story condominium complex. This is a very concerning prospect for our family and we oppose any more high density housing and the added traffic congestion it would bring to our already busy neighborhood.

Response O1: This comment is on the project and not on the scope of the EIR, this comment is acknowledged.

Comment O2: I have just spent the better part of three weeks in and out of the doctor's office with my six year-old daughter due to acute asthma; both my three year-old son and I also suffer from asthma. While there are many causes, our physician continues to point to the pollution that surrounds us as one of the primary triggers for these severe, debilitating attacks. To be truthful, continued development of high density housing and the thousands of polluting vehicles that accompany those developments are driving our family from San Jose and the surrounding areas, and this area has been my home for my entire life.

All of us understand the dollars and cents that development projects bring to the city, but we're at the point now where we are less interested in supporting healthy, thriving communities and more interested in short-term financial gains. This is detrimental to families like mine, with children who struggle to breathe right outside the front door.

Please consider the impact of this development on our community and do not approve this proposal. Please keep me informed of any potential re-zoning meetings.

Response O2: A Community Health Risk Impact Analysis has been completed for the proposed project. Please refer to Section 4.4 and Appendix B for a complete analysis of air quality and community risk impacts.

Letter P: David Fang, October 16, 2014

Comment P1: I was told that I could contact you regarding obtaining additional information regarding the rezoning of "The Reserve Apartments" into high density housing. My house is on Walton Way with my backyard facing Williams. I live ~1500ft away from the apartments and I drive up and down daily on Winchester. Can you send me any information regarding the size, overall floorplan of the new apartments? I would also like to keep in touch with this new construction project. Thank you!

Response P1: All documents pertaining to the environmental review of the project are available on the City's website at <http://www.sanjoseca.gov/index.aspx?NID=2434>. Future public documents related to the environmental review of the project will be added as they become available.

Letter Q: Janet Torres, October 16, 2014

Comment Q1: I will plan to be in attendance at the October 20th community meeting regarding this project. From the little I know from a recent neighborhood handout, I am absolutely OPPOSED to such development in this already high-density neighborhood grid. Traffic has been an absolute nightmare since Valley Fair expanded, and now with Santana Row and other retailers, in addition to the housing meccas (apartments/condos), there is over-population and traffic gridlock. Please add me to the mailing list and keep me updated. Thank you!

Response Q1: These comments are acknowledged. Please see Master Response A for a discussion of traffic impacts.

Letter R: Pamela Dunbar, October 16, 2014

Comment R1: I was recently informed that the planning commission is considering re-zoning the area at Winchester Blvd & Williams Rd. in San Jose to allow for construction of a 7 story condominium. I strongly oppose the construction of any high density housing in this San Jose Area. I have been a resident of this area for 60 years and the added traffic, congestion and crowding would be devastating to our neighborhoods. I am appalled at the possibility of a condo being erected in this family friendly- single house area. PLEASE don't approve this. Please keep me informed of the issues associated with this potential rezoning and of any public meetings which might occur. Thank you for your help in this matter.

Response R1: All documents pertaining to the environmental review of the project are available on the City's website at <http://www.sanjoseca.gov/index.aspx?NID=2434>. Future public documents related to the environmental review of the project will be added as they become available.

Letter S: Ron Goodall, October 16, 2014

Comment S1: I've sent a prior email to Leila requesting this project be stopped immediately, but I had not seen the proposed site drawings at the time. It is far worse than I had imagined and would be a terrible change to our community. Given that we now live in one of the highest density areas of San Jose, I am truly shocked that this is being considered at all. Which politicians and city bureaucrats are being romanced and paid by the developer and others to support this project?? I want the names of all the people responsible for approving this project from start to finish. We have to mount a massive campaign, including media coverage by the TV investigation teams in the Bay Area. This is a disaster for our corner of the world. In addition to the issues Julie mentions below, the freeway noise in our neighborhood has grown tremendously since putting the barrier wall up and building out the Santana Row, Valley Fair, and other residential and commercial properties the city is approving to be built.

Response S1: These comments are on the project and not on the scope of the EIR. These comments are acknowledged. Traffic noise is addressed in Section 4.6 of the DEIR.

Letter T: Julie Goodall, October 16, 2014

Comment T1: Our household is strongly opposed to the proposed project for 1000 S. Winchester Blvd, Reference #C14-043.

We have lived in our home on Radcliffe Drive for 30 years, and in that time we have seen a steady increase in crime, homeless and gang presence (people going through garbage cans to collect cans and bottles, people sleeping on the side of Moorpark, graffiti, and shoes hanging over electrical lines), noise, air pollution, and traffic. This has ramped alongside the replacement of the Town and Country shopping center with Santana Row, adding the high-rise retirement home, adding the three-story apartment complex next to this site, and removing some of the Century Theatres. Indeed, one of the assets of the Winchester Neighborhood is it's "woodsy" charm. The existing apartment/condo complex on that site tastefully retains that charm, blending with the environment. In contrast, a high-density high rise will completely change the look of our neighborhood, creating a colder, sleeker feel. Contemporary styling has it's place, and Santana Row is a good example, but carrying it all the way down to Williams is neither necessary, nor desirable.

Response T1: This is a comment on the project and not on the scope of the EIR. The commenters concerns are acknowledged.

Comment T2: In addition, there currently is not enough parking for the existing housing, which exacerbates the additional congestion caused by Santana Row and the construction on 880 and Stevens Creek, and the high-rise will encroach upon the privacy and views of adjoining homes. The increased traffic has also undermined the traffic calming project installed years ago. All in all, we don't believe a high-desity [sic], high-rise housing community is the right solution for our area.

Therefore, I respectfully request that you reject the rezoning permit request Reference #C14-043 at 1000 S. Winchester Blvd.

Response T2: An analysis of privacy impacts pertaining to line of sight from the proposed project to the adjacent residences and shading that would be caused by the proposed project is provided in Section 4.1, *Land Use*. Please refer to Section 4.6, *Aesthetics*, for a complete discussion of the visual impact on the proposed project on the surrounding land uses. Please refer to Master Response A in regards to traffic impacts and parking.

Letter U: Dianne Green, October 17, 2014

Comment U1: I was recently informed that the planning commission is considering re-zoning the area at Winchester Boulevard and Williams Road in San Jose to allow the construction of a 7-story condominium complex. I oppose the construction of this high density housing in this area due to the impact of added traffic, congestion, and crowding that will occur.

The quality of life in our neighborhood will be degraded due to this project. I live near South Clover and Neal Avenues and I know this will make for more traffic, congestion and noise. PLEASE do NOT approve this.

Please add me to the stakeholders list regarding this proposal from The Reserve Apartments and the re-zoning to build this 7-story building.

Response U1: Please refer to Master Response A for traffic. A noise assessment was completed for the proposed project. Please refer to Section 4.5 and Appendix C for a complete analysis of project noise with operation of the project and during construction.

Letter V: **Jennie Verduzco, October 17, 2014**

Comment V1: I was recently informed regarding the re-zoning plans for The Reserve Apartments on Winchester an [sic] Williams. In the time that I've lived in this home, I've seen traffic double in the neighborhood due to additional housing, activity at Santana Row and additional shops. Separately, we've seen an increase in crime - mostly theft. (Multiple houses on our street and surrounding streets have been impacted) Re-zoning these apartments to high density housing will only increase traffic congestion and, I suspect, negatively impact the crime rate. I encourage you to heavily weigh the benefits vs. impacts and consider the people of this community and oppose this re-zoning.

Please add me to the stakeholders list to receive updates so I can voice my concerns when/where possible.

Response V1: These comments are acknowledged. . Please see Master Response A for a discussion of traffic impacts in the EIR.

Letter W: **Joel Kiker, October 17, 2014**

Comment W1: Thank you for considering this project, I hope you can expand upon this project adding more parking, retail and a good grocery store, we currently lack one given Safeway shutting down the one next to RiteAid. I would also like you to consider making the developer level the 7-11 and head shops at the current location.

Response W1: These comments are on the project and not on the scope of the EIR. These comments are acknowledged.

Letter X: **May Lipinsky, October 17, 2014**

Comment X1: Thank you for adding us to the list. We want to pass along some concerns/questions regarding PDC 14-040. Probably some or all will be addressed at the community meeting, so don't worry about a detailed reply ...

- Capacity of police/fire departments to handle more residents and large structures with limited staff. Effect on crime/safety.
- Emergency vehicle ability to respond with increased traffic in neighborhood, especially in case of a disaster, e.g. earthquake or large fire.
- Traffic congestion {which is already bad at times}.
- Impact on schools to absorb more students with limited school funding.

- Affordability of housing in the development and as it relates to the city, and effect on current residents.
- Construction noise and traffic.
- Ongoing noise and traffic.
- Environmental issues. For example, pollution. Would the buildings be green, e.g. LEED compliant?
- General concern about high-rise high density housing in the neighborhood, especially such a large project. Character of the neighborhood, etc.

Response X1: The EIR has addressed the concerns noted above. Please refer to Section 5.0 for a discussion of emergency services. Please refer to Master Response A for traffic. Please refer to Master Response B for schools. Construction and operational noise are discussed in Section 4.6 and Appendix C. Please refer to Sections 4.3 and 4.5 in this EIR for a discussion of energy usage and greenhouse gas emissions and the projects consistency with green building measures. Land use issues are addressed in Section 4.1.

Letter Y: **Randy Petersen, October 17, 2014**

Comment Y1: RE: The Reserve Apartments Development-Williams and Winchester Blvd

I want to express my interest and concern regarding this planned development. As a resident of the area at 901 S Clover Ave, I am quite concerned at the added traffic and parking issues. I have lived in the neighborhood for 28 years and have seen the number of cars and traffic increase significantly. San Jose is becoming another over crowded mess because of out of control development. Please do not approve this project. Please keep me informed of the issues associated with this potential re-zoning, and any public meetings which might occur.

P.S. I plan to attend the information meeting on Oct 20th 2014 at 6:30 pm.

Response Y1: Please refer to Master Response A.

Letter Z: **Gene Franco, October 18, 2014**

Comment Z1: I live on lynn oaks and the area is already impacted by Valley Fair, Santana Row, and high density living. From a humanitarian stand point, how can you displace so many residents of the complex during a period of explosive rents and low inventory. To do this for purposes of greed by a developer with no ties to San Jose and the community is appalling. Whoever is agreeing to this is either benefitting or is truly a selfish individual(s).

Response Z2: The commenters concern regarding existing residents on-site is acknowledged.

Comment Z2: Secondly we already have too many parking problems, traffic, and crime with a police presence at all time lows thanks to our community leaders who decided to make decisions without honoring agreements previously promised.

Response Z2: Please refer to Master Response A for traffic. The commenters concerns regarding safety are acknowledged and will be provided to the decision-makers as part of the public record.

Comment Z3: Lastly, I am a lifelong resident and I see this as just the beginning. Will this developer set it sites on many other area complexes. This must stop!!!!

Response Z3: This is a comment on the project and not on the scope of the EIR. The commenters concerns are acknowledged.

Letter AA: Mark Berthiaume, October 18, 2014

Comment AA1: This is regarding the re-zoning request PDC14-040 for the Reserve Apartments at Winchester and Williams.

I and every neighbor I've spoken to are opposed to this zoning change.

We have many concerns I hope you will address at the Oct 20th meeting.

1. Will the EIP address the loss of property value for all the single family homes adjacent to this project?

Response AA1: Please refer to Master Response C.

Comment AA2: 2. Increase of traffic due to tripling the amount of existing units {also in conjunction with the other planned developments on Winchester {Century Theaters and Toys R Us properties).

Response AA2: Please refer to Master Response A.

Comment AA3: 3. Loss of privacy for several block radius. There will be hundreds of windows facing down on our yards. Also looks like there will be roof top decks, for more invasion of privacy.

4. High rise will dominate the sky line and views, as well as a loss of sunlight and privacy.

Response AA3: An analysis of privacy impacts pertaining to line of sight from the proposed project to the adjacent residences and shading that would be caused by the proposed project is provided in Section 4.1, *Land Use*. Please refer to Section 4.6, *Aesthetics*, for a complete discussion of the visual impact on the proposed project on the surrounding land uses.

Comment AA4: 5. Two plus years of construction behind us will render our yards unusable due to heavy equipment, noise, dust and dirt. This is just unacceptable.

Response AA4: The City has specific limitations to the days and times during which construction can occur. Please refer to Section 4.6, *Noise*, for a complete discussion on construction noise.

Comment AA5: 6. The loading docks, delivery trucks, dumpster's & truck pick-ups will cause excessive noise & pollution for the adjacent homes.

Response AA5: Please refer to Section 4.6, *Noise*, and Section 4.4, *Air Quality*, for complete discussions of operational noise and air quality issues.

Comment AA6: 7. Parking! The number of parking spots is completely inadequate, even if it meets what is required. The current requirement is an antiquated formula that is not realistic on any project in this day and age. A more realistic requirement would be

Studio - 1 car

1 BD - 2 car

2 BD - 3 car

920 spots for 640 units is nowhere near enough!

We already have a parking issue on our street due to the existing apartment building {The Reserve) and the 4-plexes on Opal Drive that only provide one carport space per unit. There is a huge increase in parking sprawl in front of the single family homes as it is. We cannot park in front of our own homes. I believe this problem will no doubt be compounded with 640 new units and not enough parking allotted for the residents.

Response AA6: Please refer to Master Response A.

Comment AA7: 8. The State of California has asked us to reduce our water usage due to the drought. It's not environmentally responsible to build, build and build some more, at the same time as we are letting our expensive landscapes die and live with the threat of fines for over usage by the San Jose Water Company. Is there enough water for the hundreds of additional people?

Response AA7: Please refer to Master Response D.

Comment AA8: 9. Can our local schools take on the additional kids?

Response AA8: Please refer to Master Response B.

Comment AA9: 10. Can you show us one development of this size in our area that was built next to nice residential homes like ours, I don't think you will find one.

We should be vehemently opposed to all high density without proper planning including traffic, water, schools and parking. We can't build now and fix traffic later, if you want to build you must address the parking and traffic.

I feel that there is no concern for the residents in my neighborhood. We don't want a monstrosity of this magnitude in our neighborhood. We are very crowded as it is! This project is adjacent not to existing multi-housing, but to single family homes. This is a nice neighborhood and we pay a great deal to live here. This project will negatively affect our quality of life in our own homes! Our opinions should matter and be seriously addressed!

Response AA9: The commenters concerns are acknowledged. Please refer to Master Response A for a discussion of traffic, Master Response B for a discussion of school capacity, and Master Response D for a discussion of water supply.

Letter BB: **Mike Glazzy, October 18, 2014**

Comment BB1: As an alternative to this site location, I would suggest the corner of Payne Ave and S. Winchester behind the Chevron Station replacing the existing shopping center.

Response BB1: Alternatives to the proposed project are discussed in Section 7.0 of the Draft EIR. The shopping center at the corner of Payne Avenue and S. Winchester Boulevard is designated for commercial uses in the General Plan. Therefore, the property cannot be converted to residential unless it is designated for residential or mixed-use development in the approved Winchester Urban Village Plan (anticipated to be adopted in late-2016 or early 2017), or residential uses are approved as part of a Signature Project as defined in General Plan Policy IP-5.10. The commenters concerns are acknowledged.

Letter CC: **Anne Pak, October 19, 2014**

Comment CC1: I recently received a flyer informing me that the planning commission is considering rezoning the Reserves Apartments into a 7-story condominium.

I strongly oppose the construction of this and any other high density housing in Silicon Valley, because the added traffic, congestion and crowded has [sic] degraded the quality of life significantly in this last decade. The traffic is out of control and even with planned expansions of existing streets and highways, it is not enough.

Response CC1: Please refer to Master Response A.

Comment CC2: Housing prices are very high in this area, so when prospective and current homeowners buy into this area, they are not only buying a home, but also into a community and existing quality of life. Don't degrade that for those of us who so dearly love our community just the way it is!

I urge you please do not approve this.

Response CC2: This is a comment on the project and not on the scope of the EIR. The commenters concern regarding quality of life is acknowledged.

Letter DD: Brian Still, October 19, 2014

Comment DD1: My family and I wish to express our astonishment that the above rezoning and proposed building construction meets present building codes and standard and that it's even open to discussion. To be clear we do not support this concept of a monstrous building(s) being constructed in our community. In fact, I thought this had to be a typo when I read the rezoning plan. We have resided in the area for over 26 years and we have seen a lot of new construction however, it has been in character with the neighborhood – this 7-story complex will degrade the neighborhood and will negatively and permanently impact the community in so many ways.

Key reasons we do not support this initiative:

1. Huge permanent eye sore for the surrounding neighborhood and beyond – sends a message that the local community has no pride in the state of our neighborhood which is not true.

Response DD1: Please refer to Section 4.6, *Aesthetics*, for a complete discussion of the visual impact on the proposed project on the surrounding land uses.

Comment DD2: 2. Will set a new construction standard that future 7+ story buildings are acceptable for our neighborhood causing further degradation.

Response DD2: As noted in Section 4.1, *Land Use*, the proposed project is consistent with the development planned for Winchester Boulevard and the Winchester Urban Village in the City's Envision San Jose 2040 General Plan.

Comment DD3: 3. Will lower the value of nearby home owner properties.

Response DD3: The commenter's statement that the project will lower property values is acknowledged. Please refer to Master Response C.

Comment DD4: 4. Will impact our quality of life:

- lack of privacy for homeowners that are located near the 7 story apartments
- skyline dominated by 7 story building(s)
- homes will be in the shadow of the apartments
- will prevent sunshine in the afternoon and evenings
- after 2:00 pm the sun will disappear behind the concrete monstrosity
- will create further traffic congestion

Please consider the above and keep up informed of any public meetings or updates on this critical matter.

Response DD4: An analysis of privacy impacts pertaining to line of sight from the proposed project to the adjacent residences and shading that would be caused by the proposed project is provided in Section 4.1, *Land Use*. Please refer to Section 4.6, *Aesthetics*, for a complete discussion of the visual impact on the proposed project on the surrounding land uses. Please refer to Master Response A in regards to traffic impacts.

Letter EE: Elaine Baldwin, October 20, 2014

Comment EE1: Concerned about water supply with drought conditions and future rationing.

Response EE1: Please refer to Master Response D.

Comment EE2: Noise level is extremely high now with the freeways & hospital (helicopters at all hours) & shopping centers.

Response EE2: A noise assessment was completed for the proposed project. Please refer to Section 4.6 and Appendix C for a complete analysis of project noise with operation of the project and during construction.

Comment EE3: Parking is never adequate & the overflow now park in our neighborhoods – Hamman Park – from existing apartments.

Response EE3: Please note that parking is not considered an environmental issue under CEQA unless the lack of parking results in a safety impact. The commenters concerns about parking are, however, acknowledged. Please refer to Master Response A.

Comment EE4: Will Section 8 housing be mandated? Yes or no please.

Response EE4: The Section 8 housing program is administered by the Santa Clara Valley Housing Authority and not by the City of San Jose. The City's inclusionary housing ordinance was planned to take effect January 2, 2013. The policy was, however, declared invalid on May 25, 2012 by the Santa Clara County Superior Court. The ordinance had been placed on hold pending appeal of this decision. The Court ruled in the City's favor in June 2015. This ordinance only applies to for-sale units, and does not apply to rental properties.

Please note that the City is in the process of implementing an Affordable Housing Impact Fee (AHIF) Program (set to take effect July 1, 2016). This fee will apply to market-rate rental housing projects which are not grandfathered in (see details on the City's website <http://www.sanjoseca.gov/index.aspx?nid=3979>) based on total project area.

Comment EE5: Traffic congestion is a given. There already is major ____ (indecipherable) during work hours, weekends, holidays due to freeway on ramps, Santana Row, westfield & other retail. Alternative routes are taken thru the neighborhood streets – Monroe, Genevieve, etc.

Response EE5: Please refer to Master Response A.

Comment EE6: Crime has increased by 50% in the last 5 years in the immediate area. Increased density will increase crime. It has to with the 400+ additional units.

Response EE6: This is a comment on the project and not on the scope of the EIR. The commenters concern regarding potential increases in crime is acknowledged.

Comment EE7: How about less apartments & build a decent grocery store? The two crappy stores won't support the increase in units.

Response EE7: The commenters recommendation to develop less apartments and add a grocery store are acknowledged.

Letter FF: **Kelly Adams, October 20, 2014**

Comment FF1: There are not enough trees in-between Opal houses and apartments!!

Response FF1: The commenters concern regarding landscaping is acknowledged. Please see Section 4.10 (Biological Resources) for a discussion of tree removal and replacement.

Comment FF2: You are not accounting for massive traffic. I have trouble everyday coming down Winchester from Tisch just to Williams Rd. I think there needs to be more traffic enforcement (bigger police dept.).

Response FF2: Please refer to Master Response A.

Comment FF3: More crime!!

Response FF3: The commenters concern about more crime is acknowledged. Please refer to Section 5.0 for an analysis of police services.

Comment FF4: To [sic] much traffic. I can't state this enough!!!

Response FF4: Please refer to Master Response A.

Letter GG: **Randy Wallace, October 20, 2014**

Comment GG1: In the City plan there is an obligation to maintain the character of a neighborhood as well as provide housing. This project would so negatively impact this neighborhood that it would destroy its character. My family has been on Eden for 50 years. Three generations have attended Lynhaven School. Please scale back this project and keep it in line with other Winchester projects (IE) no more than 3 stories.

Response GG1: The commenters concerns regarding the character of the neighborhood is acknowledged. Please refer to Section 4.6, *Aesthetics*, for an analysis of visual impacts.

Letter HH: **Ron Canario, October 20, 2014**

Comment HH1: The time is 7AM-9AM. Imagine 650 families going to work and bringing their children to school (there are 2 schools in the immediate area). Imagine, say, 700 of the 900 cars parked on the lower 2 levels of the complex funneling out through the 3 driveways to Williams & Winchester. The resulting traffic snarl is unimaginable!

Response HH1: Please refer to Master Response A.

Comment HH2: Safety would be a major concern, particularly for the school children who walk. Do not allow this to happen!

Response HH2: Please refer to Master Response A.

Letter II: Daryl Ragan, October 20, 2014

Comment III1: I'm writing to submit my general feedback regarding the planned redevelopment project at the corner of Winchester/Williams as part of the Winchester Urban Village project.

In contrast to many of my neighbors, I am not opposed to redevelopment and appreciate the thoughtful way the City of San Jose has created a redevelopment plan that includes vibrant urban villages. As both Pete Constant and Sam Liccardo stated at our recent Lynhaven Neighborhood Association meeting, there is a plan and a process that will be followed and the property at Winchester/Williams WILL be redeveloped...the question is how. I will be attending the meeting this evening to hear the developers plans and will be listening eagerly to hear that the property will be redeveloped with:

1. Plans that are within San Jose's current zoning and meet the spirit of the City's General Plan
2. Plenty of parking to handle the number of cars with a realistic expectation that each unit is likely to have at least two vehicles
3. Higher-profile buildings near the streets and lower-profile buildings backing up to the current residential neighborhoods
4. Some allocation for low-income housing within the development
5. Plans to retain as many of the current healthy trees as possible and to in-fill with trees as soon as possible
6. Green space/park space within the development
7. A development that truly will enhance our neighborhood and support the Urban Village concept.

Thank you for your role in creating positive progress that supports and truly enhances our community.

Response III1: These comments are acknowledged. Please see Master Response A for a discussion of traffic and parking, and Section 4.10 for a discussion of tree removal and replacement.

Letter JJ: Jeff Kriech, October 20, 2014

Comment JJ1: We have been informed of plans to re-zone the area near Winchester Blvd [sic] and Williams Road to allow for high density housing.

It is difficult to state how opposed we are to the re-zoning of this area! The Winchester corridor was never designed for anything remotely resembling "high density".

The West San Jose / Campbell area is already so densely populated, congested and over-used; further development designed to cram more people into this area is utterly misguided.

We don't have space on the roads for more drivers.
We don't have room in our schools for more students.
We don't have enough water for our residents.
We don't have enough police to keep criminals locked up.

This is NOT Los Angeles! We...the people who live here...DO NOT WANT THIS.
Do not erode any more of our quality of life in the name of "progress".

Response JJ1: The commenters concerns are acknowledged. Please refer to Master Response A regarding traffic, Master Response B regarding schools, and Master Response D regarding water supply.

Letter KK: **Kelly Johnson, October 20, 2014**

Comment KK1: Please include me on the Stakeholders list for information on the rezoning of the Reserve apartments. I am fully against this large scale project. In the 5 years I have been in this neighborhood there has been nothing but increase in traffic and high density housing. There is plenty of oppoumity [sic] for growth without going upwards and placing more people in such a small area. Living crowded like rats only increases frustrations and crime. I will see you at the meeting mon.
Thank you

Response KK1: The commenters concerns are acknowledged.

Letter LL: **Bridget Cassidy, October 21, 2014**

Comment LL1: I was recently informed that the planning commissions is considering re-zoning the area at Winchester Blvd and Williams Road in San Jose to allow for the construction of a 6 story condominium. I fervently oppose the construction of this project because the added traffic, congestions and crowding will, in my opinion, degrade the quality of life substantially in my neighborhood.

Response LL1: Please refer to Master Response A.

Comment LL2: Other things I consider negative about this project is the added strain on water needs, sewage requirements and electricity requirements.

Response LL2: Please refer to Master Response D for water supply. An assessment of the sanitary sewer system is also provided in Section 4.13, *Utilities and Service Systems*. An assessment of electricity requirements is provided in Section 4.3, *Energy*.

Comment LL3: Please pass my concerns to the decision makers as well as my strong opposition to the approval of this project. I would appreciate being informed about any future public meetings regarding this project. I attended the meeting last night at the International Christian Center and know that I am not the only person in my neighborhood who is against this re-zoning and development.

Response LL3: These comments are acknowledged.

Letter MM: David Witt, Dorothy Montandon-Witt, and Richard Reade, October 21, 2014

Comment MM1: This letter is written to protest the construction of the 6 story high density apartment complex being considered for construction at the corners of Winchester Blvd & Williams Road. Winchester Blvd is already a busy arterial with limited ability to expand in order to accommodate the additional traffic. Williams Rd, by necessity will also be over burdened by the increase, by way of trying to access San Tomas Expressway.

Response MM1: Please refer to Master Response A.

Comment MM2: Parking overflow into the side streets will become a problem.

Response MM2: Please refer to Master Response A.

Comment MM3: The increase in air pollution as well as noise [sic] pollution will destroy the existing neighborhood.

Response MM3: Noise and air quality assessments were completed for the proposed project. Please refer to Section 4.6 and Appendix C for a complete analysis of project noise with operation of the project and during construction. Please refer to Section 4.4 and Appendix B for a complete analysis of projects operational and construction air quality impacts.

Comment MM4: Privacy & neighborhood values will decline. Children walking to neighborhood schools (Lynhaven & Monroe) will feel less safe. Most people living in this neighborhood have lived here for many years. (my family has lived here since 1976) We have our own Neighborhood Watch Assn. Our children & elderly feel safe walking along Williams Rd. Please do not destroy this neighborhood for the sake of “progress” and tax revenue.

Response MM4: The commenters concerns regarding safety are acknowledged. Please see Master Response C regarding property values.

Letter NN: Mike Perry, October 21, 2014

Comment NN1: Thanks for your help at the meeting last night. I spoke briefly with Leila, and said I would follow up with this note. My issues were pretty well covered by other people, but wanted to get them down in writing.

I live on Fruitdale Ave, which is directly across Winchester from the proposed project. I have three main issues with the project:

Parked Cars:

We occasionally have apartment cars parked parked [sic] in front of our house. I would imagine a drastic increase of parked cars if the project goes through as planned.

Here are some ideas to mitigate this problem:

1. Affected streets should have [sic] option to go with permit parking. Maybe only the first few houses that are closest to the project that are the most impacted.
2. Seal off the ends of the street closest to the proposed project to limit unwanted parked cars.
3. Expand the proposed project garage to beyond 1.5 cars per unit.

Cars lining a street reduces [sic] property value (as the lady on Baywood pointed out). Not as bad as having people staring down into your backyard but still reduces property value. This needs serious consideration.

Response NN1: Please refer to Master Response A.

Comment NN2: Retail Parking:

During the meeting I did not hear mention of dedicated parking for the retail stores. Where are these people supposed to park?

Response NN2: Retail parking will be provided within the underground parking structure as outlined in the project description in Section 2.0.

Comment NN3: Traffic at Winchester and 280 on-ramp:

Currently getting onto 280 on-ramp from North Bound Winchester is a disaster during morning rush hour. I believe someone at the meeting used the term "Grid Lock". This will be drastically worsened with this project and the mentioned Toys are Us project. This should be mitigated somehow prior to the project approval. Either reduce the number of units or fix the traffic situation by making two left turn lanes onto the onramp

Response NN3: Please refer to Master Response A.

Letter OO: **Pat Sullivan, October 21, 2014**

Comment OO1: It was quite the meeting last night. I think residents in our area were shocked to hear of the extensive plans along the Winchester corridor. With out [sic] greatly improved infrastructure, we are all against the rezoning of this property. Here is a link of the newscast of last nights [sic] meeting. Please pass it along to the Planning Commission.

<http://www.ktvu.com/videos/news/san-jose-residents-speak-out-against-proposed/vCyBhH/>

Response OO1: These comments are acknowledged.

Letter PP: **Renee Switkes, October 21, 2014**

Comment PP1: I would like to stay informed about the huge apartment/retail space proposal. I have few concerns. 1. Seems like not enough parking planned. 2. What's the city plan for increased traffic?.....

Response PP1: Please refer to Master Response A.

Comment PP2: 3. What is the plan for increased population for already crowded schools?

Response PP2: Please refer to Master Response B.

Letter QQ: **Michael Sands, October 22, 2014**

Comment QQ1: Leila, David, and Pete, I live about one mile away from the proposed development (right behind the church where the meeting was held). I am writing to personally protest this proposed development and DO NOT WANT THIS BUILT IN MY NEIGHBORHOOD.

This is a bad idea for several reasons:

1. The location is not appropriate for an "urban village". Winchester Blvd. has no light rail and is already a very busy street with no capacity for further traffic expansion. Public transportation consists of slow and inefficient bus service. Near Santana Row, traffic already slows to a standstill. The hundreds of cars entering and leaving this development, if built, will create gridlock at the corner of Winchester/Williams, particularly during rush hour.

2. Traffic will be negatively impacted in the surrounding area, including Opal and Eden Ave, creating unsafe conditions for pedestrians and children walking to and from Lynhaven grade school.

Response QQ1: The commenters concerns about traffic are acknowledged. Please refer to Master Response A.

Comment QQ2: 3. The development is way out of proportion to the surrounding community and will create an eyesore that dominates the skyline. Looking at the drawings, I am reminded of communist block housing in the former Soviet Union. We don't need to see our skylines rising ever [sic] higher and boxing us in like caged rats.

Response QQ2: The commenters concerns about the look of the development is acknowledged. Please refer to Section 4.6, *Aesthetics*, for an analysis of visual impacts.

Comment QQ3: 4. The residents on Opal Drive do not deserve to have this outsized encroachment of high density built right up to their backyards, multiplying noise, parking, destroying backyard views and privacy, degrading property values.

Response QQ3: The commenters concerns about the effects of increasing residential density on the project site are acknowledged.

Comment QQ4: 5. Our neighborhood is already becoming overcrowded with increasing traffic - how far do we want to see this go? Do we want West San Jose to become like Manhattan [sic] or downtown San Francisco? West San Jose was once a nice place to live that had plenty of open space, relatively free traffic and a good quality of life. This proposal is a step backwards for the neighborhood. Do you see Los Gatos or Saratoga proposing to build anything like this? Of course not - it would be overturned immediately.

Please join me in opposing this atrocious, monstrous proposal. If implemented, the final design must be reduced at least 50% and should be no taller than the Via Cortina condominiums next to Toys 'R Us (3 stories maximum).

Response QQ4: The commenter's statements are acknowledged. Please refer to Section 4.1, *Land Use*, for a discussion of the allowable development on the site and the projects consistency with the General Plan.

Letter RR: **Robert Houck, October 22, 2014**

Comment RR1: Please don't support the re-zoning of this neighborhood on Winchester Blvd. - traffice [sic] is bad enough already from Santana Row.

Response RR1: This comment is acknowledged.

Letter SS: **Brent Ingler, October 23, 2014**

Comment SS1: I am not against more housing in the West San Jose area. Quite the contrary, I think more affordable housing is exactly what this area needs.

I am, however, deeply troubled at the position the city seems to be taking that our existing infrastructure can accommodate another 500-1000+ daily commuters in this area with no improvements.

I would invite both of you to come out and sit at the Starbucks at Winchester and Magliocco some morning between 7:30 and 8:30, and observe the long line of cars waiting to get onto 280 North. After a few minutes, you could even head over to Moorpark and see the long line of cars waiting to turn right on Winchester for the same reason. I would, then, invite you to return to the same area in the afternoon and observe the traffic attempting to turn left on Moorpark, from Winchester, where there is (again) a long line of cars. And, lastly, try doing the same in the next couple of months when the holiday season starts. Between Santana Row and the Westfield shopping center, and the residents simply trying to get home or to work, the Winchester area grinds to a slow crawl around the holidays.

And now, the city is considering adding another roughly 400 housing units, plus retail, to an area that is already struggling to meet the roadway demand. Ultimately, if this project moves forward without any infrastructure improvements, the developers will get what they want, and the residents will be left to deal with the mess. This is neither fair, nor an appropriate representation of the needs and desires of the residents of District 1.

Response SS1: Please refer to Master Response A.

Comment SS2: I, therefore, would ask that you consider the community's needs before those of developers, and require that any new construction first must have a funded and approved plan for addressing the increased roadway and parking demands that new construction would bring.

Response SS2: Please refer to Master Response A.

Letter TT: **Doris Matthews, October 23, 2014**

Comment TT1: I am a neighbor who attended the meeting on Monday night regarding the new six story building proposed for Winchester and Williams. I can tell you that I am against the plans for

such a development. First of all you have the problem with parking and traffic. Not enough spaces are allotted for future residents let alone parking for shoppers. My daughter works retail in Palo Alto and every two hours they have to move their cars or get ticketed, the store she works for has a parking lot but designated for customers only. That puts a lot of pressure on employees to move their cars, will the same happen to workers of planned development? It seems no thought has gone into Winchester to absorb traffic in a meaningful way and the neighborhood will have cars parking in front of their homes all day and night.

Response TT1: Please refer to Master Response A.

Comment TT2: What does it do to property values?

Response TT2: Please refer to Master Response C.

Comment TT3: Would you buy a house that offers you no privacy in your back yard?

Response TT4: An analysis of privacy impacts pertaining to line of sight from the proposed project to the adjacent residences and shading that would be caused by the proposed project is provided in Section 4.1, *Land Use*.

Comment TT4: What is the impact on local schools?

Response TT4: Please refer to Master Response B.

Comment TT5: It seems that your planners have put the cart before the horse and that even with all the negative feedback from the meeting I am sure the development will proceed. I could go on but if I had a vote it would be NO!

Response TT5: These comments are acknowledged.

Letter UU: Jerry Giles, October 23, 2014

Comment UU1: My wife and I are very opposed to the proposed project for a number of reasons. First, even though there may be adequate parking, with 600 units there will undoubtedly be more street parking and more traffic than our streets can handle. We remember the same objections we raised 15 years ago concerning Santana Row, and we were assured that traffic/parking would not be a problem. Unfortunately, it is a huge [sic] problem as local residents know better than to drive in the vicinity of Winchester and Stevens Creek at any time other than midnight to 6 AM. So, we have a very hard time believing any assurances by the city or the developers regarding this project.

Response UU1: The commenters concerns regarding traffic and parking are acknowledged. Please refer to Master Response A.

Comment UU2: Second, the architectural design of the proposed development is not attractive and it clashes with the homes in our area. The proposed buildings look like boxes and have no design imagination or flair. Frankly, they look like apartment buildings built in formerly communist Eastern Europe.

Response UU2: The commenter's concerns are acknowledged. Please refer to Section 4.6, *Aesthetics*, for an analysis of the project's visual impacts.

Comment UU3: Third, the noise level and height of the structures invade the privacy of those homes which border on the development.

Response UU3: An analysis of privacy impacts pertaining to line of sight from the proposed project to the adjacent residences is provided in Section 4.1, *Land Use*. Noise impacts are addressed in Section 4.6.

Comment UU4: Fourth, what has the city done to mitigate the impact on local schools? I don't think it has thought about it.

Response UU4: Please refer to Master Response B.

Comment UU5: Fifth, more rented apartments will mean more crime and may encourage multi-family occupation. Cannot the city require that the units be owner-occupied? What is the city proposing to deal with these three issues?

Response UU5: The City cannot make ownership a requirement of the project. This is a comment on the project and not on the scope of the EIR. The commenters concerns regarding safety and density of the project are acknowledged.

Comment UU6: Sixth, the development does not include the old stores on the northwest corner of Winchester and Williams. Thus, the new development will clash with those old stores. Why are they not included? It seems very inconsistent.

Response UU6: The project applicant does not own the property at the northwest corner of Winchester Boulevard and Williams Street. As a result, it is not included as part of the proposed redevelopment plan.

Comment UU7: Finally, the neighborhood needs more policing and more fire department support. Our area relies only on Fire Station #10 on Monroe & Tisch to provide fire protection and emergency medical support. These infrastructure concerns need to be fully addressed before this project goes forward.

So, a solution might be to reduce the size to 300 units and 3 floors with a much more attractive design for the structures; the inclusion of the corner strip-mall; and much more open space between the buildings. We would appreciate it if you would amend the plan to take into consideration our concerns.

Response UU7: The commenters concerns regarding police and fire safety are acknowledged. Please refer to Section 5.0 for a complete analysis of police and fire services.

Letter VV: Matthew Bien, October 23, 2014

Comment VV1: Regarding the proposed project called "The Reserve", to be located at Williams and Winchester, I only attended some of the meeting on Monday evening, so I may have missed some of the answers to my questions. Questions and comments I have are:

1. Is the residential component apartments or condos?
2. If apartments, would the developers own & operate the complex or sell it? If they are selling it, then the credibility of their attestations about caring for the community diminishes.
3. The developer seems to be trying to grab an oversized percentage of the target growth of housing units for the Winchester corridor between now and 2040. New residential housing should be spread out more evenly over the entire corridor.
4. The increase in on-street vehicle parking that this project will cause has not been adequately addressed. That's an understatement. One and a half parking spaces per unit is entirely too little.
5. The developer is strictly in it for the money, and that's OK. But existing zoning restrictions are in place for very good reasons too. One reason is that they protect residents from unreasonable encroachment by incompatible use. There is no compelling need to change the zoning for this area, and the scope of this project is entirely too large.

Response VV1: As discussed in Section 2.0, the residences would be apartments. The developer currently owns and operates the existing apartment complex and would operate the proposed project. The project, as proposed, is consistent with the allowable density on the project site under the General Plan. The proposed parking is consistent with the City's parking requirement (See Master Response A). Please note that the density of the project is based on the General Plan. The rezoning is proposed due to the height restrictions of the current zoning designation.

Letter WW: Melanie Ingler, October 23, 2014

Comment WW1: I am a resident of the Hamann Park neighborhood and I have big concerns about adding that much new population and traffic to this area. I realize that people have to live somewhere, but I would like to see San Jose make traffic improvements (and require the developer to FUND them) BEFORE adding this much stress to the Winchester corridor. There is already a lot of gridlock during peak hours. That many more people is going to cause impossible chaos. Something needs to be done even with the current situation.

Response WW1: Please refer to Master Response A.

Letter XX: Mike Pasetta, October 23, 2014

Comment XX1: I have many concerns regarding rezoning of The Reserve apartment complex and I do not believe that the City and certainly the developer have any interest in what is best for the community. In no particular order here are just some of the concerns that I have with increasing the available dwelling from 216 apartment to 650 plus retail.

Parking: The project call for 920 parking spaces. This equates to 1.4 cars per single family dwelling. The City requires two off street parking spaces for single family detached homes like mine, so why

do they think that people in apartments would have any less. This means that they should have at least 1300 spaces. If we assume that just a third of these units are two bedrooms odds are they will have three cars, that is another 195. Now about the workers in the 8000 sqft retail the shoppers? Lets [sic] jsut [sic] say that each shop is ~200 sqft and has only one employee and only one customer. This equates to 80 additional vehicles for total of 1575 vehicles and a shortage of 655 spaces.

These estimates are conservative and where do you expect 655 extra cars to go?

Response XX1: The City has specific parking requirements per land use. The project is consistent with the City's requirements as defined in the Municipal Code. Please refer to Master Response A.

Comment XX2: Lets assume that each of these apartments will only have 1.42 kids, for a total of ~920 students that will need to go to school. The local elementary school, middle school and high schools are already at capacity with waiting list. With using the current ratio of over 20 students to a single teacher we are talking about having to ask the schools to add 46 additional classrooms and teachers. This is roughly 15 additional classrooms and teachers per school. How will the schools expand to handle this and who will pay for it?

Response XX2: Please refer to Master Response B.

Comment XX3: With regards to public safety, the fire department already has a challenge with response times because of the amount of traffic on Winchester, especially crossing over 280. How will adding more traffic and more people to service benefit anyone? The police department is another entire issues but again adding more people to be serviced without needed infrastructure in place isn't going to benefit anyone.

Response XX3: Please refer to Section 5.0, *Public Services*, for a complete discussion of police and fire protection services.

Comment XX4: Lastly traffic is already and [sic] issue in the area. When the Santa [sic] Row project was occurring the City and planners sited "no impact on traffic." Have you ever tried to navigate these areas during the commute times or during peek [sic] shopping times (weekends)? It is crazy! And if there was no impact on traffic why is all this work being done on the 17/880 interchange?

I look at it like this, San Jose grew up post WWII when it changed from a town that supported local agriculture to one that supported business. If you think of our population like a pair of pants we have already grown to the largest size they sell and our gut is hanging out and well over our belt. Trying to make us bigger/fatter yet will reduce our quality of life and probably kill us. If you want to expand the City do it the way it used to be done, fine some open land next to it and expand, don't try to stack more onto what you already have.

Response XX4: The original *Town and Country Village FEIR (1998)* addressed the project traffic estimated to occur with development of the originally proposed Santana Row project. The FEIR identified impacts at two study intersections during the standard Peak Hours:

Moorpark/Winchester and Stevens Creek/Winchester. The improvements identified for the Moorpark/Winchester intersection were implemented as proposed. The improvements identified for the Stevens Creek/Winchester intersection could not be imposed as a project condition because the improvements would be located outside the City of San Jose's jurisdiction. This impact was determined to be significant and unavoidable. This intersection has since been added to the City's list of protected intersections.

Traffic conditions change over time due to economic factors, new development, and increases in local population. As with any development project, the traffic report prepared for the original *Town and Country Village FEIR* quantified traffic conditions and project impacts at that time. Current traffic conditions could not have been estimated when the original *Town and Country Village FEIR* was completed approximately 17 years ago. The traffic report prepared for this project addresses traffic from the proposed project based on the current traffic conditions and estimated future traffic scenarios based on the Envision San Jose 2040 General Plan.

Please refer to Master Response A.

Letter YY: Fijak Ronaale, October 23, 2014

Comment YY1: I second this!!! No more "growth" until you fix the current problems. It is already ridiculously crowded in our neighborhood. This development will most certainly cause more problems. NO NO NO NO new development, PLEASE!!!!!!!

I have many concerns regarding rezoning of The Reserve apartment complex and I do not believe that the City and certainly the developer have any interest in what is best for the community. In no particular order here are just some of the concerns that I have with increasing the available dwelling from 216 apartment to 650 plus retail.

Parking: The project call for 920 parking spaces. This equates to 1.4 cars per single family dwelling. The City requires two off street parking spaces for single family detached homes like mine, so why do they think that people in apartments would have any less. This means that they should have at least 1300 spaces. If we assume that just a third of these units are two bedrooms odds are they will have three cars, that is another 195. Now about the workers in the 8000 sqft retail the shoppers? Lets [sic] jsut [sic] say that each shop is ~200 sqft and has only one employee and only one customer. This equates to 80 additional vehicles for total of 1575 vehicles and a shortage of 655 spaces.

These estimates are conservative and where do you expect 655 extra cars to go?

Lets assume that each of these apartments will only have 1.42 kids, for a total of ~920 students that will need to go to school. The local elementary school, middle school and high schools are already at capacity with waiting list. With using the current ratio of over 20 students to a single teacher we are talking about having to ask the schools to add 46 additional classrooms and teachers. This is roughly 15 additional classrooms and teachers per school. How will the schools expand to handle this and who will pay for it?

With regards to public safety, the fire department already has a challenge with response times because of the amount of traffic on Winchester, especially crossing over 280. How will adding more traffic and more people to service benefit anyone? The police department is another entire issues but again adding more people to be serviced without needed infrastructure in place isn't going to benefit anyone.

Lastly traffic is already and issue in the area. When the Santa Row project was occurring the City and planners sited "no impact on traffic." Have you ever tried to navigate these areas during the commute times or during peek [sic] shopping times (weekends)? It is crazy! And [sic] if there was no impact on traffic why is all this work being done on the 17/880 interchange?

I look at it like this, San Jose grew up post WWII when it changed from a town that supported local agriculture to one that supported business. If you think of our population like a pair of pants we have already grown to the largest size they sell and our gut is hanging out and well over our belt. Trying to make us bigger/fatter yet will reduce our quality of life and probably kill us. If you want to expand the City do it the way it used to be done, fine some open land next to it and expand, don't try to stack more onto what you already have.

Response YY1: The above comment letter is a duplicate of the comment letter submitted by Mr. Mike Pasetta, dated October 23, 2014. Please refer to Responses WW1-WW4.

Letter ZZ: Nicholas Huynh, October 23, 2014

Comment ZZ1: Here are my concerns from our community meeting on Monday October 20, 2014 about the Reserve Apartments. From what I understand there are currently 261 apartments and they are planning to build about 670 apartments with only less than 500 parking spaces allocated for those apartments even though we know there will be about 800 to 900 parking spaces on two underground story parking. And [sic] if we do the math, for 670 apartments we are talking at least 1340 parking spaces needed since they will be AT LEAST two tenants per apartment. Currently with only 261 apartments, those residents are taking all the spaces around our neighborhood parking in front of our houses, coming back late at night and leaving early in the morning creating all kinds of disturbing noises. Also, by approving this the city [sic] of San Jose has unfairly created a huge property value loss for all of our neighbors whose house is on Opal by hundred [sic] of thousand [sic] dollars. Do you think who would want to buy their property with a 4, 5, & 6 story apartment looking down to their backyard and house. Those people are MAD like HELL right now, it is very unfortunate for our city trying to create some revenue and throw those residents who have work so hard their whole life under the bus.

David, do you also take into consideration with all the noise, traffic congestion, over populated this project will bring to this neighborhood. Those were all of my concerns and thanks to both of you for taking them into consideration.

Response ZZ1: The City has designated parking requirements per land use as specified in the Municipal Code. Please refer to Master Response A for traffic. Please refer to the Section 4.6 for an analysis of noise and Section 4.1 for a discussion of population growth.

Letter AAA: Patricia Anninger, October 23, 2014

Comment AAA1: This Reserve Application as presented to the neighborhood on 10/20/2014 was a shock to most of the community that such a huge project would even be considered in this area. Re-zoning would create havoc to this area. Winchester Blvd from Hamilton Avenue south to Stevens Creek Blvd. is already compacted [sic] most times of the day and on weekends and holidays becomes [sic] a parking lot, moving slowly from traffic light to traffic light. The residents surrounding the current Reserve already have to tolerate on-street parking from the Reserve residents on a daily basis. More tenants would mean encroaching further into this single family neighborhood as the parking plan really did not provide for enough spaces for the projected apartments.

Response AAA1: This comment is acknowledged. Please refer to Master Response A.

Comment AAA2: Most of the students at the two schools, Lynhaven and Monroe [sic] are driven to school. Such a huge project would impact the schools and we didn't hear that the Applicant would be assisting in financial arrangements for the overcrowding of the schools. The traffic on both Williams Rd. and Moorpark are also impacted twice a day as parents arrive and depart from the schools attempting to cross Winchester. And 85 traffic exiting to Winchester via Moorpark often must wait through 2 or 3 signals to continue south or north on Winchester.

Response AAA2: Please refer to Master Responses A and B.

Comment AAA3: We, the property tax payers, deserve consideration, too. Property values would be decreased, homes on Opal Drive would have their privacy invaded in their back yards as well as the front of their property. There are too many issues on the quality of life here in San Jose. As a third generation San Josean [sic], I implore you to limit future height limits to no more than 3 stories. The changes I have seen in my lifetime have not been as horrendous as this project as proposed for rezoning.

Response AAA3: The commenters concerns are acknowledged. Please refer to Section 4.6, *Aesthetics*, for an analysis of visual intrusion.

Letter BBB: Elizabeth Wieske, October 25, 2014

Comment BBB1: I am a longtime resident and homeowners of the Lynhaven neighborhood.

1. I STRONGLY OBJECT TO THE PROPOSED PROJECT AT THE CORNER OF WINCHESTER AND WILLIAMS ROAD. The amount of traffic that will result from the increase of apartments in this project and the retail establishments will only add to the congestion on Winchester Blvd., gridlock at the Winchester and Moorpark intersection and 280 exit at Moorpark Ave.

It will also greatly increase traffic on Williams Road. Students who attend Monroe Middle School cross at this intersection. This will put them at great risk.

Traffic on Eden Ave will also increase due to those drivers who want to avoid the traffic on Winchester Blvd.

When holiday traffic starts I feel trapped in my neighborhood because of the traffic that is coming to Santana Row and Valley Fair Shopping Center. The traffic coming off 280 block [sic] and making the left turn to go onto Winchester Blvd. block the intersection and I often have to sit through several changes of the light in order to get into the left turn lane to get north on Winchester Blvd.

Response BBB1: Please refer to Master Response A.

Comment BBB2: 2. From the drawings that I saw when I attended the meeting on Oct. 20th, this building is way out of place in our neighborhood. It does not fit in with the character of our neighborhood. Our neighborhood consists of single story and 2 story homes and businesses. This project is too big and an ugly building. This is not downtown San Jose.

Response BBB2: Please refer to Section 4.6, *Aesthetics*, for a complete discussion of the visual impact of the proposed project on the surrounding land uses.

Comment BBB3: 3. This project will severely impact the quality of life of the longtime homeowners whose property back up to this project. Please respect the wishes of the residents of our neighborhood. PLEASE DO NO MAKE ANY ZONING CHANGES FOR THIS DEVELOPMENT. I am a taxpayer and voter in the City of San Jose.

Response BBB3: These comments are acknowledged.

Letter CCC: Richard Cabaral, October 31, 2014

Comment CCC1: We, residents and neighbors of District 1 and District 6, **are opposed to the zoning change request**, for the Reserve Apartments located at 881 S. Winchester Blvd. San José, CA 95117. PDC14-040 Newly Filed Project 7/21/14 – 7/25/14 for a 7.68 acre site requesting, **Planned Development Status to allow densities of 85 units an acre and heights of 85 to 95 feet, is not conducive to the single family homes** that are to the rear of this property. 640 multi-family residential units and 8000 square feet of retail space will have negative impact on roads, services, traffic congestion, parking, cut through traffic, and change to the quality of life in our neighborhood. It is our duty to inform you, as our Representatives and City Officials, that our neighborhood is not in favor of having a massive project, that mixes residential with retail, to appease the 2040 Urban Village Plan.

We request, that the applicant revisits this project, and **stays within the current zoning parameters, Multi Residential and No more than 3 stories. Please support, No Change to Zoning at this time.** Thank you.

This Proposal will destroy The [sic] neighborhood and impact an already overcrowded Winchester Blvd. Go and see this site – you will quickly see a 7 story complex is completely out of place and an undue burden on the street. DO NOT ALLOW THIS ZONING CHANGE

Response CCC1: The commenters concerns are acknowledged. Please refer to Master Response A regarding traffic and Section 4.6 regarding Aesthetics.

Letter DDD: Kathy Cole, November 1, 2014

Comment DDD1: I was recently informed that the planning commission is considering the rezoning of the area at the corner of Winchester Blvd. and Williams Road in San Jose to allow for the construction of a seven (7) story condominium. I am opposed to the continuing construction of this high density housing in San Jose. This type of construction will cause added traffic, congestion and crowding. As I have been in nearby neighborhoods, the burden to traffic is horrendous. It ruins the already established neighborhoods. So far in my opinion no forethought has gone into the planning to accommodate added resources and traffic relief [sic] to support this type of construction. This hodge-podge style of the city's housing plans are abominable. I am disgusted with the possibility that yet another high rise condo will be build [sic] just a few block from my home at 953 S. Monroe Street near the corner of Williams Road and South Monroe Street. Please keep me informed of the issues associated with this potential rezoning and of any public meetings regarding these rezoning issues.

Response DDD1: The commenters concerns are acknowledged.

Letter EEE: Brian & Myrna Still, November 4, 2014

Comment DDD1: My family and I wish to express our astonishment that the above rezoning and proposed building construction meets present building codes and standards and that it's even open to discussion. To be clear we do not support this concept of a monstrous building(s) being constructed in our community. In fact, I thought this had to be typo [sic] when I read the rezoning plan. We have resided in the area for over 26 years and we have seen a lot of new construction however, it has been in character with the neighborhood – this 7-story complex will degrade the neighborhood and will negatively and permanently impact the community in so many ways.

Key reasons we do not support this initiative:

1. Huge permanent eye sore for the surrounding neighborhood and beyond – sends a message that the local community has no pride in the state of our neighborhood which is not true

Response EEE1: These comments are acknowledged.

Comment EEE2: 2. Will set a new construction standard that future 7+ story buildings are acceptable for our neighborhood causing further degradation

Response EEE2: As discussed in Section 4.1, *Land Use*, the proposed project is consistent with the development assumptions in the General Plan and the Winchester Urban Village. Even if the proposed project is not approved, future development is planned to occur within the Urban Village at similar heights and densities.

Comment EEE3: Will lower the value of nearby home owner properties

Response EEE3: These comments are acknowledged. Please refer to Master Response C.

Comment EEE4: 4. Will impact our quality of life:

- Lack of privacy for homeowners that are located near the 7 story apartments
- Skyline dominated by 7 story building(s) – homes will be in the shadow of the apartments
- Will prevent sunshine in the afternoon and evenings – after 2:00 pm the sun will disappear behind the concrete monstrosity!
- Will create further traffic congestion

Response EEE4: An analysis of privacy impacts pertaining to line of sight from the proposed project to the adjacent residences and shading that would be caused by the proposed project is provided in Section 4.1, *Land Use*. Please refer to Master Response A for traffic.

Letter FFF: Deborah Morrison, November 4, 2014

Comment FFF1: Please consider the impact of such development in the “suburban like” areas of San Jose. As homeowners in the area, we are not allowed to build up to the sidewalk. Why are developers allowed to do so? Doing so gives us a closed in feel.

Response FFF1: The project site has a different land use designation than the adjacent single-family parcels. As such, the development parameters allowed by the City are different. An analysis of the project’s consistency with the General Plan is provided in Section 3.0, *Consistency with Plans and Policies* and Section 4.1, *Land Use*.

Comment FFF2: These suburban areas within the City need to remain as such. Such developments are better when they are close to reliable public transit and close to major employers. Building high density housing outside of this just creates congestion on our already overcrowded streets & highways. We hope this is taken into consideration for this and future projects.

Response FFF2: As discussed in Section 4.1, *Land Use*, the proposed project is consistent with the development assumptions in the General Plan and the Winchester Urban Village. The Winchester Urban Village, and the adjacent Urban Villages. Santana Row/Valley Fair and Stevens Creek, are planned for intensification of housing, jobs, and services. The project site is already served by transit which will connect to the Bus Rapid Transit system proposed on Stevens Creek Boulevard.

Letter GGG: Irma and Randy Bowyer, November 5, 2014

Comment GGG1: My name is Irma Bowyer and my husband is Randy Bowyer. We live at 913 Opal Drive and also have a rental at 925 Opal Drive. We are both OPPOSED to the rezoning of the current apartments. This neighborhood that we have lived in for 40 years does not have the infrastructure to support such a large project.

The current street parking on our block is a nightmare now. I can’t even imagine what another 420 units would create. We have people from the Reserve and also the 4 plexes down the street parking all up and down our street. For the 5th week in a row my yard waste cannot be picked up because

cars park to close and the garbage truck can't get to it. The traffic will be so congested with the proposed rezoning that it will be impossible to even get out of Opal onto Williams Road.

Response GGG1: Please see Master Response A.

Comment GGG2: There is also an issue of our privacy. Six stories is just ridiculous and then on top of that they plan roof top patios. How nice to have people looking down on our houses and backyards. I guarantee you wouldn't want it on your street. The view from our street will be big ugly buildings, the plans aren't even attractive.

Response GGG2: An analysis of privacy impacts pertaining to line of sight from the proposed project to the adjacent residences is provided in Section 4.1, *Land Use*. An analysis of the aesthetic impacts of the project is provided in Section 4.6, *Aesthetics*.

Comment GGG3: I do think that our property values will be affected by this monstrous project. This is very unfair to the homeowners. The people that live on Opal and Neal will be the biggest losers in this proposal. The city will win, the owner and developer of the Reserve will win and we will get nothing but decreased property values, traffic, congestion and a minimum of 2 years of noise and dust. Has anyone thought of any consideration for us on Opal at all? I don't think so.

Although I don't want the rezoning to go through, we could be open to a much more scaled back version of this project. Specifically the height of the project and the excessive number of residential units.

Response GGG3: These comments are acknowledged. Please refer to Master Response A for traffic and Master Response C regarding property values. Analysis of construction dust and noise impacts are included in Sections 4.4 (Air Quality) and 4.5 (Noise) of the DEIR.

Letter HHH: Ken Pyle, November 5, 2014

Comment HHH1: Please allow this email to serve as my comments and questions regarding the proposed redevelopment and rezoning of the The Reserve Project on Winchester and Williams. I live approximately 1,500 [sic] from The Reserve Project.

As is pointed out in many online documents, it is a reasonable assumption that San Jose will add 400,000 people by 2040 (that's only 1.35% per annum population growth, which is really just replacement and may not account for people moving here),

Given the geographic and political restrictions on growth in San Jose and Santa Clara County, the only way to accomodate [sic] these new people will be more residences on a given acre of land (e.g. denser housing). As I understand the 2040 Plan adopted by San Jose several years ago, the idea is to add higher-density housing in so-called urban villages; the exact definition of urban village is still somewhat nebulous, but, at a high-level, the idea is to create self-contained communities with housing and jobs centered around transportation hubs, as much as possible.

In principal, what is being proposed at The Reserve is in line with the idea of the Urban Village in that it has a mix of retail and high density housing, except there is no transit hub. As a homeowner

and citizen, I am generally in favor of investment in remodeling and refreshing of buildings and complexes, particularly those that are rentals.

The alternative is one where landlords "milk" their existing investment and do the minimum maintenance to maximize cashflow [sic]. We have blocks and blocks in our neighborhood where that appears to be the case and the neighborhoods suffer as a result. Further, in most cases, the architecture of the 60s and 70s needs a refresh, so we should welcome the opportunity for a project with the potential to reinvigorate a boulevard that is definitely not grand and is dated in many spots.

Response HHH1: The commenters support for redevelopment within the project area is acknowledged.

Comment HHH2: With that said, many of my neighbors have expressed concerns about the project and its scope. My comments are as follows:

A More Interactive, Dynamic Web Site

This comment goes beyond this project and is more general and applies to significant developments, such as this one, where hundreds or thousands of residences will be impacted. The information that the city has online for a project like this is inadequate. What would be more useful is a site that is somewhat dynamic, allows for more information and provides a level interactivity between city, developer and community.

This proposed website should have a section that provides some common facts about the growth of San Jose, requirements from other entities (e.g. ABAG, State, Federal) as to how a project might fit into plans that these other government [sic] agencies might require. On this site, should be the assumptions for things such as the projected number of people per unit, number of cars per unit, children per unit, etc. In many ways, it seems like information about the impact on schools, infrastructure could be presented in a much more straightforward and understandable manner. Perhaps, this is pre-mature to be asking for this information, as the Environmental Impact Report must be written first, but to some extent it might be the same from project to project. Having this information readily available would provide the community a baseline of common information.

Secondly, there should be a section where the developer can explain why what they are proposing is a good thing for the community; this would be their opportunity to show renderings, how much new tax revenue is projected, etc. In a sense, it would be the opportunity for the developer to "sell" the community on what they are doing, as well as elicit feedback directly from the community. This could be valuable for the developer, as the community input could help them create a better product. What the developer presents shouldn't be much different than what they already have to develop for presentations to investors and other stakeholders.

Finally, and most importantly, there should be an opportunity for neighbors to voice their concerns. This could be a good mechanism for the developer to hear directly from the neighborhood; it would be sort of an on line, virtual townhall meeting. The developer would benefit from this, as they might get new ideas for how to make the project. At the same time, it would give the neighborhood an interactive way to provide their input directly to the developer. Right now, this is happening via NextDoor and that it isn't the most efficient way to convey information about a specific project like this and NextDoor isn't open to all the stakeholders.

The cost of creating the described website should be minimal, as it could be set up on wordpress.com for free or for minimal dollars via a self-hosted, multi-site, wordpress site.

Response HHH2: The commenter's recommendations regarding an interactive website is acknowledged.

Comment HHH3: How Does the Architecture The Reserve Fit In With the Winchester Urban Village?

The renderings displayed at the October Community Meeting make it appear like the facade will be different than other multistory [sic] apartments that have recently been developed along Winchester (e.g. Villa Cortina).

How will The Reserve fit into a master plan to make the Winchester Urban Village cohesive and not a hodgepodge of different era buildings (the way Winchester is today)?

Response HHH3: The Urban Village Plan has not yet been finalized so no specific architectural requirements are adopted regarding the Urban Village. The project will, however, go through standard architectural review.

Comment HHH4: What About Park Money from this Development?

Money from developments like this one goes into a park fund to purchase land for new parks, but will those parks be created in areas near the development (seems like the most logical place, since that is where the money is originating [sic])?

As this project is refined, it seems like there are at least two different approaches for reconciling our lack of parks in District 1:

1. Look at carving out a publicly accessible, pocket park within The Reserve. The retailers they propose would like this, as it would provide additional foot traffic. It would potentially mean fewer living unit spaces, but, the park fees could then be reduced accordingly.
2. Look at using the park development money to purchase, at current market value, one or more of the houses that current directly behind The Reserve on Opal. To sell would be up to property owners and it would be an opportunity for the homeowners to secure their properties at the current value (in the event they are concerned that their property values will drop with the redevelopment of The Reserve).

Response HHH4: Please see Section 5.6 of the DEIR for a discussion of park impacts. The park fees will be applied consistent with the requirements of the ordinance. The commenter's suggestions regarding park land within project area is acknowledged.

Comment HHH5: Infrastructure:

There are many questions about the impact on schools, safety of children walking to school, etc, that are sure to be addressed in the Environmental Impact Report.

Response HHH5: Please refer to Master Responses A and B.

Comment HHH6: Traffic and associated congestion of approximately an extra 400 residents in the same space is a major concern for many. In the long-term, this isn't a big concern for me, as high-speed fiber networks will allow for more people to work from home and autonomous [sic] vehicles should significantly reduce the number of vehicles on the road (i.e. some are suggesting as many as 2/3 to 9/10 vehicles will not be needed).

<http://viodi.com/2014/08/25/shared-automation-up-to-90-reduction-in-vehicles/>

The question is whether the transition to autonomous vehicles is a 15 or 25 year period and, of course, this doesn't solve the problem for those who have to deal with the traffic in the interim. Many believe we need to start planning the "built-environment" to accommodate the advent of the autonomous [sic] vehicle, including this Professor of Architecture who literally wrote the book on the parking garage:

<http://viodi.com/2014/07/19/looking-at-the-impact-of-autonomous-vehicles-on-how-we-live/>

The question for the Environmental Impact Report is what steps can be taken to accommodate the immediate traffic implications from a project of this magnitude, while ensuring that we aren't creating 20th century structures for the 21st century world?

Response HHH6: Please refer to Master Response A.

Letter III: Joseph Gemignani, November 10, 2014

Comment III1: Hi Leila, I drove by the Reserve apartment complex on Winchester and looked at the project description for that site. PDC14-040.

I was shocked to see what is being proposed. I can't believe the city would go along with something like that! If you look at the recent projects like Villa Cortina up the street and the project at 1319 Winchester, they are both three stories facing Winchester and four stories behind. This makes it more pleasant for both pedestrians and drivers. We don't want to feel like we are in tunnel. Also, I found the architecture to be way out of place. I prefer the two projects mentioned above. They both feel more residential and are not so striking. Please do what you can to have the builder work with the Architect to design something more compatible. We do not need any ego architects pushing a project that does not belong in our neighborhood. I grew up in that area back in 1967. I wonder if the Architect spent more than one day in that area.

Response III1: The commenters concerns regarding the architecture of the project are acknowledged. As discussed in Section 2.0, 3.0, and 4.1, the project is consistent with the General Plan.

Letter JJJ: Kathy and Rene Bousquet, November 11, 2014

Comment JJJ1: I attended the public meeting regarding this. I am against it. A 6 story building in this area is ridiculous. Just because the city designated Winchester an "urban corridor" doesn't make it so. This is a suburban area and not even Santana Row is 6 stories high.

There was not enough parking allotted and the housing is out of character for our neighborhood. We live on S. Genevieve Lane.

Response JJJ1: The commenters concerns are acknowledged.

Letter KKK: Bruce Branan, November 11, 2014

Comment KKK1: Statement to the Planning Commission and the City Council of the City of San José

This letter is being written on behalf of the residents in the community that live in the area that lies within the boundaries of the proposed development at the intersection of Winchester Blvd. and Williams Rd. We, as a community, have recently become aware of the scale and magnitude of this proposed development. This property is currently zoned for a maximum of 3 stories, but rezoning would allow for a structure of 7 stories to be built. Our concern with the **negative** impact that this development will have on our neighborhoods and surrounding areas is overwhelming. There are several issues that need to be addressed when the option to re-zone is considered. The issues are as follows:

E.I.R.'s

The Environmental Impact Report for this development must come from realistic and practical evaluations. For example, a traffic flow measurement should not be done during off-peak hours – it should be done during peak hours. Off-peak flow measurements were done with prior developments in this area (Santana Row being most notable).

Response KKK1: Please refer to Master Response A.

Comment KKK2: Further, it is common knowledge that San Jose is one of the few municipalities in the bay area that allows the development company to hire any firm of its choosing to write the E.I.R. The fact that the developer is the one paying the company that generates the EIR creates an obvious conflict of interest for the community. This is **unacceptable**. An independent firm that does not report to the developer needs to be hired.

Response KKK2: The EIR was prepared by a consultant working for the City of San Jose. While the developer must cover the cost of the EIR, the developer has no input into the process. The City, as the Lead Agency, is legally responsible for the contents of the EIR and control all aspects of the EIR preparation.

Comment KKK3: Parking

The structure will house 650 families and provide parking for 900 vehicles, or 1.4 parking spaces per family. In today's society, most families own at least 2 cars, some more, so 1,300 parking spaces will likely be needed. This means that 400 cars will need to find parking. Streets adjacent to the condominium complex, which were formerly in quiet neighborhoods, will now be lined with the parking overflow. In addition, the retail stores on the first story will also require parking. This is clearly an unworkable situation.

Response KKK3: As noted in Section 2.0, the project proposes 20 parking spaces for the retail component. The parking requirement is determined by the City's Municipal Code.

Comment KKK4: Traffic

A traffic analyses to be done by the Planning Commission should be done during the hours of 7AM to 9AM – that is when peak traffic is expected. Traffic at the intersection of Williams Rd. and Winchester Blvd. during that time is very heavy– tolerable, at the moment, but very heavy. Building a structure which houses 650 families at that intersection, where most households will have people going to work at that time, and a substantial number of parents bringing their children to the nearby schools, also during that time, will result in intolerable traffic congestion.

A few blocks north on Winchester, at Tisch Ave., is the northbound entrance to freeway 280. This entrance is fed by both directions of Winchester and both directions of Moorpark, and Tisch. During peak hours, there is approximately a 10 minute [sic] wait to gain entrance to the freeway. It is not unreasonable to expect that many of the additional 650 families will also want access to the freeway, exacerbating this already frustrating situation. The entrance to freeway 280 going in the opposite direction is at the intersection of Moorpark and Leigh. Everything that was said above applies also to the eastbound traffic on Moorpark to that freeway entrance.

Response KKK4: Please refer to Master Response A.

Comment KKK5: There are other situations which will make the traffic much worse or intolerable by addition of this proposed complex:

1) Driving in this area during the Holiday Season is a maddening experience. Christmas shoppers congregate at Santana Row and Westfield Mall, and the traffic in the entire surrounding area is EXTREMELY slow during this part of the year.

Response KKK5: Please refer to Master Response A.

Comment KKK6: 2) Even though permits have not yet been filed, the Planning Dept. has already indicated that an additional 650 units of residential/retail is planned for the property where Toys“R”Us is currently located. Also, a 6 story [sic] 220,000 sq. ft. building has been scheduled for construction in Santana Row. **Even though these buildings are not currently in existence, their future impact must be accounted for now in the EIR for Williams & Winchester.** The existing high density housing complex 2 blocks north at the intersection of Winchester Blvd. and Magliocco Dr., together with the 2 major structures planned for the near future, will bring the traffic infrastructure along the Winchester corridor to the breaking point.

3) Streets adjacent to the condominium complex, which were in formerly quiet neighborhoods, will now be lined with the parking overflow and heavy traffic from people seeking alternate routes from the main thoroughfares.

Response KKK6: The cumulative effects of existing development, proposed development, and approved but not yet constructed development is addressed in Section 6.0 of the EIR. Please refer to Master Response A.

Comment KKK7: Safety

The intersection of Winchester and Williams is already a very busy one. It is a major thoroughfare for several of the nearby elementary and middle schools. The tremendous increase in traffic expected between 7AM and 9AM will pose a significantly increased safety hazard for the children walking to school.

Response KKK7: Please refer to Master Response A.

Comment KKK8: Structure out of character with surroundings

A 7 story [sic] building simply does not fit with the surrounding environment, and will create an eyesore. Allowing this structure to be built sends the message that the local community accepts this new construction standard, paving the way for future monstrous developments. This will also create a lack of privacy for the homeowners adjacent to the to the [sic] condominiums, and lower property values throughout the surrounding area.

Response KKK8: The commenters concerns are acknowledged. Please refer to Section 4.6, *Aesthetics*, for an analysis of visual intrusion.

Comment KKK9: In Closing

The need for San Jose to grow is understandable. The need to update and expand in order to meet future growth is necessary. The key is to make it successful and sustainable for future generations – it must be done **responsibly**. It seems that several projects have been managed with a “build it now and deal with it later” approach. The Williams/Winchester Community urges you to carefully consider the full impact that this project will have on the immediate future as well as on the long-term future of the people that will be directly affected by your decisions.

San Jose is a great city to live in, to work and play in. Protecting it’s environment for the current residents along with future generations is in everyone’s best interest.

Response KKK9: This comment is acknowledged.

Letter LLL: Joseph Gallegos, November 11, 2014

Comment LLL1: I live just a few short walk from the Williams / Winchester intersection. I cross this intersection almost daily - sometimes several times each day. I did attend the recent community input meeting held at the church.

To be clear, I am not against growth and development. In the past I attended many meetings both leading up to overall general plan (the 2020- 2040 plan) and more recently meetings to create overall plan for the Winchester corridor. I accept that change can be disruptive, that forward progress is not without bumps, that most future growth will come along transit and business areas. But in this case I have major concerns should this proposed re-zoning be approved as requested.

Point #1: on the west side of Winchester is Lynhaven elementary school (a Campbell unified school). On the east side of Winchester is Monroe Middle School (also a Campbell school. Lynhaven is a feeder school to Monroe. Williams & Winchester is the MAJOR intersection for the dozens and dozens of kids going to or from these two schools. Kids crossing are mostly distracted - because they

are of "that age" and, many many kids have their face in the Big Gulp that by [sic] at the 7-11 on the corner. A project if the scale proposed will without doubt make this intersection dangerous. Note: a couple of years ago the stop lights at that intersection were improved for autos and pedestrians. That was a good thing.

Response LLL1: The commenters concerns regarding children walking to school is acknowledged. Please see Section 4.2.2.7 of the Transportation section of the DEIR for a discussion of pedestrian and bike facilities.

Comment LLL2: Point #2: Implicit in the General plan is an exchange. On the one hand growth and renewal have to be managed and planned. Structures go up, land is developed. That is OK. In exchange for managed growth the city (San Jose) assumes the responsibility, within a broad general plan, to be mindful of how much and what type of growth happens. The proposed plan is beyond any reasonable exchange. It should not just be a question of "it is within the scope of the General Plan". It should also be "consistent and compatible with the impacted neighborhood." This project way to aggressive (too tall, too few car parking planned, de-coupled from surrounding infrastructure needs) for the area. It is just too large.

Response LLL2: This is a comment on the project and not on the scope of the EIR. The commenters concerns regarding the scale of the project is acknowledged.

Comment LLL3: Point #3. Business Vacancies. Take a drive on Winchester between Moorpark and Hamilton. There are a few thriving businesses but there are many store front vacancies. The project has provided for 8000 (I recall) square feet of business space (ground floor facing Winchester). Really - Winchester is a traffic corridor, it is not a foot traffic friendly place. On Winchester, restaurants have failed, stores have closed, the major grocery has vacated. OK - no parking = no foot traffic. The planned new multi-plex theater and the residential units at the Toys-R-Us site (both of which are just down the street) will only add [sic] the problems.

We need to seriously think or re-think the logic of the size and magnitude of this project should the rezoning proposed be approved.

Response LLL3: This is a comment on the project and not on the scope of the EIR. This comment is acknowledged.

Letter MMM: Joseph Gemignani, November 11, 2014

Comment MMM1: Hi Leslie, please change the proposed six story project on Winchester Blvd and Williams to 1) 4 stories and 2) to a more traditional architecture like Mediterranean or craftsman. I don't like both the height of the building and the modern look to it

Response MMM1: The commenter's suggestions regarding the height and architecture of the proposed project is acknowledged.

Letter NNN: Cindy Kopacz, November 11, 2014

Comment NNN1: I'm writing about the concern I have with the plan to build a 7 story complex. It will in pack [sic] the traffic and parking. We live on Williams and already have a big problem with the parking. The cars block are drive way and it's hard to get out of the drive way. If we want to have guest over to our house they have to park at the next street. On traffic it is crazy with people pulling out of the grocery outlet and driving down the center divider. That's because people pulling out of the apartments and the grocery outlet. Along with busy traffic from both ways. Also at peak hours of traffic is going to be bumper to bumper coming and going to free way [sic]. And people cutting through the neighbor hood [sic]. I'm not going to feel like it's ok to have my child walk to school. And the 7 eleven [sic] entrance and exit are terrible. People drive really crazy just to get into that place of business. Can't believe that you want to add more stores in the complex with not enough parking.

Response NNN1: The commenters concerns are acknowledged. Please refer to Master Response A regarding traffic.

Comment NNN2: In packing the schools. The school are [sic] already packed and this is only going to bring more kids to the school. This will force us to go to a private school. We moved here because of the schools and now if this goes through we might end up moving. Can't you guys make this the same so it doesn't change the schools? I love my house and the area of where we live. Also the response time from firer [sic] and police department will be delayed. I'm sure you have received a lot of letters and I know I only have touch on a few things that a are a problem. Hopeful you can help us!

Response NNN2: Please refer to Master Response B regarding impacts to schools. Please refer to Section 5.0 for an analysis of police and fire protection services.

Letter OOO: 947-951 South Winchester Investors, LLC, November 12, 2014

Comment OOO1: The purpose of this communication is to inform you, as the manager and legal representative of the above referenced Limited Liability Corporation (LLC), the LLC opposes the re-zoning of The Reserve Apartment Complex property from a Multiple Residence Zoning District to a Planned Development Zoning District. The LLC owns the property located at 947– 951 So. Winchester Blvd., corner of So. Winchester Blvd. and Williams Road (7-Eleven, et. al.).

Comments with regards to the EIR scope and project with points of opposition are as follows:

1. The project site is located on a main thoroughfare (to/from Hwy. 280, San Thomas Expressway, CA 17) surrounded by urban residential single family homes. Typical retail and commercial businesses such as supermarkets, gas stations, banks and churches are located on So. Winchester Blvd.
 - a. All of the single family home sites in the surrounding area and beyond are one story residential units and the retail/commercial units are typically one to four stories.

Response 0001: This is a comment on the project and not on the scope of the EIR. This comment is acknowledged.

Comment 0002: b. The visual setting of the area will be dramatically changed as the proposed project doubles/triples the existing height and density of apartment complex property. The Winchester Blvd. frontage of the building will be six stories high. The project does not aesthetically fit, for this and additional reasons further outlined in this letter; within this existing single story community.

Response 0002: Please refer to Section 4.7, *Aesthetics*, for an analysis of visual impacts.

Comment 0003: c. The height of the project will have a negative light and noise effect on the surrounding single family homes. In addition, many trees that currently provide a light or noise barrier, will no longer be tall or dense enough, or will be removed completely.

Response 0003: Please refer to Section 4.1, *Land Use*, for an analysis of land use compatibility. Please refer to Section 4.6 for an analysis of noise impacts.

Comment 0004: 2. The project site is currently developed at 216 apartment units in two-story buildings with surface parking lots accessible by 3 driveways. The proposed project would double to triple the height of the buildings, triple the number of units with only 920 parking spaces (an allotment of 1.41 parking spaces per unit), use the existing driveways and add 8,000 square feet of ground floor retail on So. Winchester Blvd. (directly adjacent to the "7-Eleven" property) with no allotment for customer and/or retail employee parking.

- a. The density of the project will have a negative effect on traffic, air quality, noise, transportation and circulation, utilities, public services, and housing with regards to the displacement of current residents.
- i. Existing issues are present with overflow traffic throughout the surrounding neighborhoods due to the *current high traffic volume* on Winchester Blvd. This has led to an increase of traffic accidents and therefore, a decrease in pedestrian safety (including children walking to and from school). We can only expect that due to the proposed projects increase of units (triple the existing number), not only will existing public safety issues be exacerbated, but new issues will arise such as a decrease in air quality, increase in noise, negative impact to the transportation and circulation system, increased demand for utility and other public services such as police and fire protection, schools, parks and libraries. Based on the existing geographical make-up of the area, those in attendance at the Community and Public Scoping Meeting held on October, 20, 2014, asked "where are you going to find the land to build more schools, parks and libraries?"
- ii. Impact of construction related to the demolition and build of the project. The demolition and construction of the project will have a negative impact on a) parking, b) traffic, c) noise, and d) air quality due to dust, debris, and traffic overflowing into the surrounding properties. Specifically, the construction phase will have a negative effect in terms of decreased revenue for business owners in the surrounding area (due to all of the above).

- b. Existing issues with inadequate parking to unit ratio at The Reserve. This was raised by residents in attendance at the Community and Public Scoping Meeting held on October, 20, 2014. Due to the current inadequate amount of parking stalls at the site, the surrounding residential neighborhoods are impacted by The Reserve residents (or visitors) of who park in front of neighborhood homes and/or block driveways. In addition, this overflow of parking has impacted local business and property owners, such as myself, who consistently encounter "non-customers" parking in their private retail customer parking lots. This has an obvious negative impact on quality of life, public safety, and loss of revenue for existing businesses. Further, residents at the October 20, 2014 meeting agreed that using "neighborhood parking permits" is not a solution.
- c. The proposed project addition of 8,000 square feet of ground floor retail does not include customer and/or employee parking space. The retail/commercial property located at the corner of Williams Rd. and So. Winchester Blvd. is a retail site that consists of an anchor 7-Eleven convenience store and two other small businesses. The combined square footage of the three units is approximately 4,200 (allotted at 60, 20, 20) square feet with 21 parking stalls. The 7-Eleven business has 12 parking spaces, the other two businesses have 4 parking spaces each with 1 parking space for disabled persons. Based on these figures, I would anticipate that approximately 40 parking spaces are needed for the proposed project street side retail customers and additional parking for employees.

Response 0004: Please refer to Master Response A. As noted in Section 2.0 of this EIR, the project proposes 20 parking spaces for the retail component of the project.

Comment 0005: 3. Addition of ground floor retail/commercial space to the apartment complex will have a negative effect on surrounding businesses. This area is not in need of additional retail/commercial sites and in addition, there is no parking space available for employees and/or customers as the area is already impacted.

- a. A Loop-Net search within a 5 mile radius of The Reserve, indicates a total of 176 retail/commercial vacancies listed within 153 buildings.
- b. The LLC adamantly and strongly opposes the addition of *any* retail/commercial space to the project due to the anticipated loss in revenue for the three businesses located at 947 - 951 So. Winchester Blvd., San Jose, Ca. and other businesses in the surrounding area.

Response 0005: The commenter's opinion regarding the inclusion of retail space into the project is acknowledge. This is a comment on the project and not on the scope of the EIR. Please refer to Response NNN4.

Comment 0006: 4. The LLC opposes the re-zoning and in addition, objects to the following:

- a. The inadequate set-back and advanced height of the proposed project that surrounds the property owned by the LLC at the corner of So. Winchester Blvd. and Williams Road.

Response 0006: Please refer to Section 4.1, *Land Use*, for a complete discussion of land use compatibility.

Comment 0007: b. The placement of barrier trees within the inadequate set-back that surrounds the property owned by the LLC will encroach upon and cause damage to the LLCs property. Currently, there are no trees within the existing set-back on the right side of the property and in the rear, only one tree.

Response 0007: The commenters concerns regarding landscape trees adjacent to the property line are acknowledged. The final landscape plan is required to be approved by City staff to ensure compliance with all applicable ordinances and policies.

Comment 0008: c. The location of the proposed retail businesses directly adjacent to the retail property and parking lot owned by the LLC. The proposed retail and its' [sic] location will have a negative financial impact on existing business in terms of increased competition, will obstruct the westbound view of the property, and will have a negative impact on the "7-Eleven" parking lot in terms of overflow parking (on a private parking lot) from non-customers due to the fact that the proposed project does not include its own retail parking.

Response 0008: There is no policy or ordinance within the City of San Jose that would preclude new retail development adjacent to existing retail when the proposed use is consistent with the General Plan. The intent of CEQA is to analyze the physical effects of a proposed project on the environment. There is no mechanism under CEQA to address the perceived financial impact of the development on the nearby businesses. Non-environmental related concerns of private citizens are considered separately as part of the planning process by City staff or City Council representatives.

Comment 0009: The scope of the EIR must include specific actions and address all issues raised in this and other communications submitted to the City of San Jose.

In summary, the LLC opposes the re-zoning and this project as it will negatively affect the quality of life for residents, the community as a whole and have a negative impact on local businesses that are currently struggling. This project, although it may fit within the City of San Jose's master plan, does not belong in this neighborhood.

Response 0009: This comment is acknowledged.

Letter PPP: Malinda Rhea, November 12, 2014

Comment PPP1: I'm writing this e-mail to express my concern about the negative impact that a very large apartment building would have in our small community. There are so many reasons why this is not appropriate.

I've lived in "Caputo Acres" as we call it for over 24 years. I've raised my children in this very personal and small community with Hamman park as our anchor for community activities.

I've outlined below the impact to our community as we know it today should a monstrosity of a structure be approved. Please see reasons below a few of the reasons:

- Would significantly affect traffic flow to/from Monroe middle school
- Would create a bottle neck to/from Williams and Winchester
- Traffic would re-route into the quaint side streets where so many of us walk with our children and pets.
- Increased traffic means Potential safety to children coming to/from Monroe
- Overflow parking on street affecting community
- increased crime (statistically proven)
- Decrease in property values surrounding structure and in our community.
- Decrease in privacy for those close to the structure

I know that we need to make room for progress, but in areas where there is strategic purpose, progress blends in with the community architecturally and environmentally. This would not be the case with the proposed plans.

In conclusion, this is the FIRST time that I've personally written to a city official regarding something that is so near and dear to my heart....my home and my little community which I love so dearly.

We will fight for what is right and I submit for your consideration to rethink the approval of this structure.

Response PPP1: Please refer to Master Response A regarding traffic and Master Response C regarding property values. Please refer to Section 4.1, *Land Use*, for an analysis of visual intrusion.

Letter QQQ: Dorothy Santo, November 12, 2014

Comment QQQ1: WE HAVE TOO MANY TRAFFIC PROBLEMS ALREADY ON WINCHESTER ROAD AND WILLIAM. PLEASE DO NOT BUILD ON THIS PROPERTY.

Response QQQ1: This comment is acknowledged.

Letter RRR: Joan Stauffer, November 12, 2014

Comment RRR1: I have lived at 842 S. Monroe Street since 1995, and I oppose a change in the zoning laws to allow for a 7-story building near the intersection of Winchester and Williams.

Having lived in this neighborhood for nearly 20 years I have already seen growing traffic congestion, parking challenges, and crowding in the schools. Both my children have grown up in the Campbell school district, and my son is currently at Del Mar High School.

The intersection at Winchester at Hwy 280 has become a terrible bottleneck during the commute hours, during weekends, and especially during the holiday season. It's a nightmare during the holiday season. In the mornings, there is an awful backup along Moorpark just to get to Winchester (coming from Monroe St). I often find myself waiting more than 5 stop light rotations to get to the intersection, and trying to drive into the far left-hand turn lane to access the freeway is frustrating.

It's also dangerous for oncoming traffic because I often see drivers trying to squeeze into that lane (making a left from Moorpark) and the back end of their car is still well into the next lane cutting off oncoming traffic. I also observe drivers stopping in the intersection because traffic is backed up which adds for more delays to the cross traffic.

Also, I have a concern for the increased traffic congestion at the intersection of Winchester and Williams because that is a major crossing location for junior high students coming and going from Monroe Middle School.

Another concern is the additional strain more people will have on our environment, air quality and limited water resources.

Thank you for taking the time to read my email and consider my concerns. I know they are shared among my neighbors.

Response RRR1: Please refer to Master Response A regarding traffic, Master Response B regarding local schools, and Master Response D regarding water supply. Please refer to Section 4.4 for an analysis of air quality impacts.

Letter SSS: **Renee Switkes, November 13, 2014**

Comment SSS1: I have two major concerns about the proposal of high rise apartment complex(s).
1) Roads/congestion – What are the city's plans to accomodate [sic] each new car owner you are providing a home for?

Response SSS1: It is assumed that the commenter is referring to parking. Please refer to Master Response A.

Comment SSS2: 2) schools – our schools are already crowded. What are you doing to provide land for new schools for growing population?

Response SSS2: Please refer to Master Response B.

Comment SSS3: Regarding [sic] the apartment complex on Winchester & Williams why tear down a nice building and not work on an area that needs better curb appeal?

Response SSS3: This is a comment on the project and not on the scope of the EIR. This comment is acknowledged.

Comment SSS4: Also please provide parking for each bedroom. Today every adult has their own car. I think 1.4 parking spaces per unit is way short for space not to mention retail needs parking too.

Response SSS4: Please refer to Master Response A.

Letter TTT: Amundsen, Johnson, Riley, and Uruski, November 14, 2014

Comment TTT1: I am strongly opposed to the proposed Reserve Apartment Development. This proposal will significantly reduce the quality of life in the adjacent neighborhoods and will add to the traffic woes on Winchester. I am frankly shocked that the City of San Jose would even consider a project of this size in this area. My perception is that the City cares more about fees than its residents.

Here are my specific concerns that I would like to see the City and Planning Department address:

1) The sheer size of this projected development (6 stories on Winchester, 4 in the back) is way out of whack for this area. It backs up to a residential neighborhood, and there is nothing close to this size in the vicinity except the Santana Row parking structure more than 1/2 mile away. The other developments in this area are mostly one story, with some 2-3 stories. I feel really bad for the folks that live on the streets that back right up to the complex.

Response TTT1: Please refer to Section 4.1, *Land Use*, for an analysis of land use compatibility.

Comment TTT2: 2) There are currently ~200 of [sic] so apartments in the existing development and we already have lots of cars parked on Williams, in the retail lot across the street, and even in the 7-11 parking lot next door. The plan is for 920 parking spots for the proposed 650 units. Memo to you all: just because there is no parking provided does NOT mean that residents will not have additional vehicles and they will park them where they can. Please also consider that current 400 sf studios rent for \$1800 a month and a 2br/2ba for \$2300. Rents will increase with new construction. This means that more people will double or triple up, to be able to afford the higher rents. These cars will spill in to the surrounding neighborhoods for parking.

This is a major quality of life issue, and a safety concern. When there are many cars parked on the street, crime increases - it makes it easier for people to park on the street and watch local activity, and makes it harder for residents to identify those who are casing the neighborhood. I would imagine that with 650 apartments, there would be 1300 or more vehicles. Where exactly will these 400 "extra" vehicles park?

Check The Reserve Yelp Reviews - "Street parking is closer than assigned parking". "There is never parking for visitors". Huh. Guess what's going to happen? They will park on the neighborhood streets.

Response TTT2: The commenters concerns regarding quality of life and overflow parking are acknowledged. Please note that parking requirements are set in the Municipal Code and the project is consistent with those requirements. Please refer to Master Response A.

Comment TTT3: 3) There are too many development projects in the immediate vicinity with a significant impact to traffic in the area. The old Century Theaters have been sold, and my understanding is that there will be more "Santana Row/like" development here. The Century 24 a few blocks down has been razed and a multiplex is planned, and the old Toy's R Us property is under contract to a developer. There are too many large projects in a very short stretch of Winchester.

Traffic is already pretty horrible in this area. There is not public transit to speak of in this area. I am sorry, VTA busses [sic] do not qualify. Nor are there many decent jobs within walking distance. As a local resident, if I need to head North, although Winchester is closer, I usually head West to pick up San Tomas to go North. This is because Winchester traffic is ALREADY bad. We used to go to Santana Row regularly for movies and a dinner out - no more. Traffic especially has made this very unpleasant.

Response TTT3: These comments are acknowledged. Please refer to Master Response A.

Comment TTT4: 4) Traffic in the adjacent neighborhoods is going to increase. People (not just Reserve residents) will use Eden Avenue to cut through the neighborhood to get to where they are going. Eden Avenue should not be a major thoroughfare, but it will become so.

This development idea is so out of place for this area. It should be flat out denied. My perception is that the City is letting any and all development go ahead without a grand plan.

If it sounds like I am frustrated, it is because I am. Our immediate neighborhood, with Santana Row and Valley Fair bears more than its share of residential traffic. This short stretch of Winchester cannot support this amount of development. It should not be approved. This type of density does not belong here.

Thank you in advance for your consideration.

Response TTT4: Please refer to Master Response A. The proposed development is consistent with the current General Plan designation. The commenters concerns regarding increased development is acknowledged.

Letter UUU: Laura Brickman, November 16, 2014

Comment UUU1: Our winchester/williams area is basically a residential neighborhood, now zoned multi-residential with a maximum of three 3 stories. When SANTANA ROW was built it was already a commercially zoned area with the TOWN & COUNTRY shopping center there. These two. above. areas are very DIFFERENT; and to change our zoning to include commercial businesses and a large apartment complex 6-7 stories changes our entire neighborhood in a negative way. I question the legality of making such a change when most everyone in our neighborhood community is against this change. In fact, I do NOT know of anyone who is for it! A smaller apartment complex, 3 stories, without commercial businesses and adequate [sic] parking might be acceptable, and fit into our family neighborhood. However, this large apartment complex with businesses, which is proposed is NOT ACCEPTABLE, as well as rezoning our area. Our neighborhood in addition to many families who live in homes, has duplexes and fourplexes, mostly owner and tenant [sic] occupied and provide reasonable cost housing for working people--catholic nuns, teachers, housekeepers, gardeners [sic], etc. San José needs to provide housing in a nice safe quiet neighborhood for these people, and this new proposed apartment complex would change this. Our mayor Chuck Reed believes in social justice, and I think our new mayor Sam Liccardo also thinks that social justice has a place in our politics. Not changing our neighborhood is social justice. I'm adding this issue, concern, to the email from our Winchester/Williams Community that stated 5

issues. Hopefully you will help us keep our neighborhood ZONE as is, for the good of San Jose and its citizens.

Response UUU1: Please note that the proposed rezoning is not required for the proposed land uses and densities. The rezoning is required to modify the allowable height of the buildings. The commenters concerns regarding the proposed development is acknowledged.

Letter VVV: James Clark, November 14, 2014

Comment VVV1: I am writing about the proposed 650 unit, 6 story, apartment building on Winchester Blvd. I have owned a home and have lived in the quiet neighborhood south of Valleyfair [sic] and now Santana Row for over 30 years. My wife and I first became aware of the proposed development a couple of weeks ago and we have signed a petition against it. I find it shocking that the city would even consider such a proposal in what is a residential neighborhood. The nightmarish traffic on Winchester north of Moorpark around Santana Row, which I now try to avoid whenever possible, would be extended South to Williams Road. Anything more than a 3 story structure would, moreover, not fit in with the existing architecture and would only invite more such monstrosities.

Response VVV1: The commenters concerns are acknowledged. Please refer to Master Response A.

Comment VVV2: In reference to Scott Herhold's column on the proposed complex, I do not recall voting on the city's "2040 general plan". If the initial premise about an "urbanizing future" beyond the downtown area is faulty none of the rest of it makes any sense. I question the premise. The Winchester development proposal would not stand a chance with the voters.

There should be a city referendum to limit new housing to the same number of replacement units or a small percentage, something like 20% more than the number of units being replaced.

The urbanization of San Jose should be limited to the downtown area. Our home is only a 5 minute [sic] drive from downtown San Jose. We can easily go downtown when we want to without subscribing to crowded urban living. Let's keep "downtown" for the people who want to live downtown.

Please consider the foregoing before giving further consideration for the proposed 650 unit [sic], 6 story [sic], apartment building on Winchester Blvd.

Response VVV2: Approval of the General Plan was not by a public vote, but was decided by the City Council after significant public outreach, including several community workshops. These comments are acknowledged.

Letter WWW: Carmie Jimenez, November 15, 2014

Comment WWW1: I would like to voice my opinion regarding the potential building of apartments on Winchester Blvd [sic] north of Williams Rd. My family is totally against this. We live on Monroe St. and Genevieve Lane. The traffic nightmare is bad enough now without adding more.

We were never informed that it was rezoned and we would never have agreed if it was put to a vote. We need to stop developers from outside San Jose coming in to pad their pockets.

Response WWW1: Please note that rezoning approvals/denials are not done by public vote but are decided on by the City Council. Also, the property has not yet been rezoned. The rezoning is proposed as part of the project and analyzed in this EIR.

Letter XXX: Patricia Sullivan, November 15, 2014

Comment XXX1: It recently came to my attention that this proposed development plans to increase the units by threefold, plus retail shopping space while using the existing driveways. With triple the amount of cars (plus retail shoppers), this would exasperate an already extremely impacted traffic area. Additionally, the combined resident and retail customer parking needs are clearly not adequately addressed in the current proposal. Current traffic at the intersection of Williams Rd and Winchester Blvd is already very heavy. Adding the additional traffic generated by over 400 new residential units will result in intolerable traffic congestion. It is also unreasonable to expect that many of the newly added units (434) will also want access to the freeway, exacerbating this already frustrating situation.

Response XXX1: Please refer to Master Response A.

Comment XXX2: I urge the San Jose Planning Commission and the City Council to act responsibly and consider the full impact that this project will have on the immediate future of our local residents that will be directly affected by your decisions. Is this the right project, in the right place, at the right time? I encourage you to protect our environment, to consider the impact of this traffic parking and congestion. There is no viable light rail close by...shouldn't a project such as this be placed near mass transit? This property should remain zoned as is and not rezoned. Protect our local community and the environment from this proposed development.

Response XXX2: This comment is acknowledged.

Letter YYY: Craig Matsuno, November 16, 2014

Comment YYY1: We would like to formally submit this letter in opposition to the re-zoning proposal put forth by the Planning Commission with regards to the development of "The Reserve" apartment complex at the corner of Williams Road and Winchester Blvd. There are a number of concerns that we believe needs to be addressed before any type of re-zoning changes are proposed.

- The concept of urban villages along transit corridors only makes sense if there is some type of mass transit in development or planned for along those corridors. As there is no plan for the light rail to come down Winchester Blvd, just calling Winchester a transit corridor does not make it so.

Response YYY1: This is a comment on the project and not on the scope of the EIR. This comment is acknowledged.

Comment YYY2: The Environmental Impact Report needs to be performed by an independent and unbiased firm. The EIR should address the traffic situation on Winchester Blvd. between Stevens

Creek Blvd and Williams Road during the hours of 7 to 9 AM and 5 to 7 PM on weekdays. In addition, the traffic situation during the Christmas holidays should also be considered around the Santana Row and Valley Fair areas. Winchester Blvd already has trouble handling the traffic from these two facilities and creating high-density housing in this area will only exacerbate an already congested area. At the very least [sic] this proposal would not be in the best interests of current residents in the area and in fact borders on irresponsible planning. Without a solution to handle the increase in traffic or for mass transit, this plan should be a non-starter.

Response YYY2: The EIR was prepared by a consultant working for the City of San Jose. While the developer must cover the cost of the EIR, the developer has no input into the process. The City, as the Lead Agency, is legally responsible for the contents of the EIR and control all aspects of the EIR preparation. Please refer to Master Response A.

Comment YYY3: The neighborhood in the immediate area is primarily single-family homes. The proposal for a 7-story complex is out of character for this area and will stand out like a sore thumb. The current 4+ -story complex being built at the northwest corner of Hamilton and San Tomas is a prime example of building that is an already an eyesore in the neighborhood. Furthermore the current plan for an 8000 sq [sic] ft. commercial area with amounts to nothing more than a very small strip mall along a very crowded street. The proposed idea that retail customers will want to hang out at a café alongside a busy and noisy street like Winchester where you can barely carry on a conversation is wishful thinking. Nor will anyone want to sit in the courtyard of an apartment complex outside of perhaps apartment residents. It will not be a destination address for people to come visit.

Response YYY3: This is a comment on the project and not on the scope of the EIR. This comment is acknowledged.

Comment YYY4: The proposed high-density complex does not provide nearly enough parking to accommodate the 650 apartments in the plan. 900 parking spaces are not nearly enough for the residents of the complex not to mention the commercial areas. As such, the immediate neighborhood streets will be flooded with overflow of apartment resident's parked cars. In a number of neighborhood streets that are in close proximity to current apartments, streets are already congested with cars belonging to apartment residents. It is not surprising that car burglaries in these areas are higher than in other areas just due to the number of cars and the lack of police presence. Not to mention the increased level of animosity between neighborhood residents to apartment residents.

Response YYY4: Please refer to Master Response A.

Comment YYY5: Current proposals have no plans to address the need for increased public safety support while proposing to increase the number of residents in the area by factors of 2-3 times. Property crimes are already up in this area and increasing the residential density will only cause crimes to increase especially if there is no plan to provide for increased public safety support.

Response YYY5: Please refer to Section 5.0, *Public Services*, for an analysis of police and fire protection services.

Comment YYY6: While we recognize a need for increased housing, any proposals should conform to current zoning requirements while also addressing needs for mass transit and public safety infrastructure development. It seems naïve if not irresponsible to believe that just adding more residential units to an area without any consideration or plan for the development of the underlying transit and public safety infrastructure will solve any long-term growth problems. On the contrary, without the infrastructure to support this type of development, San Jose is only going to degrade the quality of life in this area. By allowing what appears to be a quickly thrown together proposal without seeking inputs from area residents that are directly impacted, it would appear that the Envision 2040 plan is also not being adhered to.

Finally, the impact to current area residents should be given much more consideration than has been done up to this point. We believe that consideration of neighborhood residents that pay property taxes should be taken into account well before considering the needs of those yet to be San Jose residents. The city needs to take care of current residents before considering more growth. Current infrastructure does not adequately handle the population of today. Without infrastructure and public safety improvements, it is highly doubtful that this area will be able to support the growth models in the Envision 2040 plan without degrading the quality of life for all area residents, present and future.

Response YYY6: This is a comment on the project and not on the scope of the EIR. The commenters concerns are acknowledged.

Letter ZZZ: Mary Slattery, November 16, 2014

Comment ZZZ1: I am writing to express my concern about the enormous development that is being proposed at the corner of Williams and Winchester. A project of this size will seriously impact our neighborhood. I understand that to the city it is an opportunity to house more people and to receive more tax revenue. I get that. What I hope the city realizes is that this is our neighborhood, a place where we raise our children, entertain our family and friends, and live our lives.

I live on Williams Road. Having so many additional cars will add to the traffic congestion that already exists. I know the property that Toys R Us currently stands on has been sold. I don't know how many apartments will be built there but I have heard it might be as many as 650. The Williams Road and Toys R Us additional units are TOO MANY in such a limited space. Have you ever driven down Winchester particularly this time of year? It is very congested. The lack of parking that is planned is very short sighted. I can only go by the number that was given to us at the community meeting re parking spaces that are planned within the development--1.4 cars per unit will have a parking space! Common sense tells me that each apartment will have at least two cars. Where will the additional .6 car times 650 park? Does anyone thought about that? Another 400 cars parked hither and yon on our neighbor streets is not acceptable. Getting onto 280 in the morning will be a nightmare. Where will the customers who visit the proposed retail stores park? What kind of businesses will they be? Has anyone thought of that?

Response ZZZ1: Please refer to Master Response A. As noted in Section 2.0, the project proposes 20 retail parking spaces.

Comment ZZZ2: A seven story building looming over the single family homes in our neighborhood is unacceptable. The additional cars and traffic snarls caused by them is also

unacceptable. I pray that the city planners consider our concerns. The changes you are considering will impact our community very negatively.

I look forward to hearing more about this as time goes on.

Response ZZZ2: The commenters concerns are acknowledged.

Letter AAAA: James Witkowski, November 17, 2014

Comment AAAA1: My wife and I write to you to express our concerns over the proposed development at Winchester and Williams Rd. Our neighborhood is primarily single family homes, this 7 story development is not in harmony with our neighborhood. Traffic on Winchester during peak commute times is heavy especially for those who must transition to 280. The wait from the Tisch avenue entrance to 280 is already up to 10-minutes. This development will make this wait longer. Are there plans to improve this intersection?

We are concerned about the negative impact that this development will have on our neighborhoods and surrounding areas.

Response AAAA1: Please refer to Master Response A. Please refer to Section 4.1, *Land Use*, for an analysis of land use compatibility.

Letter BBBB: Dawn Satariano, November 18, 2014

Comment BBBB1: Please include my comments on the project and scope of the EIR in the public record.

EIR Scope: Please include in the EIR Scope:

1. Potential loss of property values for all residents in the visual vicinity (3 blocks) and what plans (if any) to reimburse property owners for their losses.
2. Parking! Will the EIR tell us where exactly all these cars will be parking?
3. EIR should mention and include traffic and parking issues in conjunction with the other 2 similar projects likely to be proposed on Winchester (Century Theaters and Toys R Us) locations.
3. Traffic mitigation plan, what it is? If no possibility of mitigating traffic, then rezoning should be denied and not for the city to just charge a fee to the developer and allow building to go ahead without proper infrastructure in place, as stated in Urban Village Plan, page 475.
4. Pollution, dust, dirt, noise that the neighborhood will be exposed to during construction and the health risks to the surrounding residents.

Response BBBB1: Please refer to Master Response A for traffic and Master Response C for property values. Please refer to Section 6.0 for an analysis of cumulative impacts resulting from existing, planned, and approved projects in the project area. Please refer to Sections 4.4, 4.6, and 4.9, respectively, for an analysis of construction impacts related to air quality, noise, and water quality.

Comment BBBB2: Project:

1. Incompatible with single story and single family [sic] homes in the neighborhood, as mentioned in Urban Village Plan, page 474 (neighborhood compatibility).
2. Loss of privacy due to hundreds of windows looking down on our yards and into our windows of our homes.
3. Project will negatively affect our quality of life in our own homes.
4. High rise will dominate the sky line, views for the entire neighborhood.

This community has communicated to the city these and many other concerns that should be seriously addressed.

Please include in the public record that I am opposed to this project and want rezoning denied.

Response BBBB2: This is a comment on the project and not on the scope of the EIR. The commenters concerns are acknowledged.

Letter CCCC: Patricia Anninger, November 18, 2014

Comment CCCC1: We plead with you and the Planning Dept. not to allow this huge project in our neighborhood. Not only will property values be diminished, but the quality of life be [sic] totally changed. Traffic, schools and both sides of Winchester Blvd. will be negatively impacted. Please no more than a three storied [sic] building be allowed.
Thank you for your consideration.

Response CCCC1: Please refer to Master Responses A, B, and C.

Letter DDDD: Matthew Bien, November 18, 2014

Comment DDDD1: Regarding the proposed project called "The Reserve", to be located at Williams and Winchester, I only attended some of the meeting on Monday evening, so I may have missed some of the answers to my questions. Questions and comments I have are:

1. Would the developers own & operate the complex or sell it? If they are selling it, then the credibility of their attestations about caring for the community diminishes.
2. The developer seems to be trying to grab an oversized percentage of the target growth of housing units for the Winchester corridor Envision 2040 Plan. New residential housing should be spread out more evenly over the entire corridor.
3. The increase in on-street vehicle parking that this project will cause has not been adequately addressed. That's an understatement. One and a half parking spaces per unit is entirely too little.
4. The developer is strictly in it for the money, and that's OK. But existing zoning restrictions are in place for very good reasons too. One reason is that they protect residents from unreasonable

encroachment by incompatible use. There is no compelling need to change the zoning for this area, and the scope of this project is entirely too large.

Response DDDD1: This comment letter is a duplicate of the letter Mr. Bien sent on October 23, 2014. Please refer to Response UU1.

Letter EEEE: Patrick Cole, November 18, 2014

Comment EEEE1: We wanted to send a message to voice our opposition of the 7-story condominium structure that is being planned for the corner of Williams Road and South Winchester Blvd. This proposed structure will impact in a negative way many things in the now quiet and very residential neighborhood we have lived in for the last 33 years.

We know that progress must go forward and that housing that economical [sic] is needed in San Jose. We also understand that it is the hope that along the Winchester corridor to increase housing by 2000 units by the year of 2040 and that a project is already approved which will house 650 families where ToyRUs [sic] currently has a store. We also are in support of mixed use with retailers on the street level and residential above but it comes with many drawbacks.

Traffic: Neighborhoods on both sides of Winchester have been impacted by additional traffic since the development of Santana Row and the expansion of Westfield Mall. Just the other day it took us 20 minutes to get through the intersection of Winchester Blvd. and Moorpark going north during the commuter hour in the morning. We avoid as much as possible going down Winchester Blvd. toward Stevens Creek already. These neighborhoods are cut-through to access Highways 280 off Winchester, Highway 880 via Tisch/Monroe as well as McArthur off of Moorpark.

Response EEEE1: Please refer to Master Response A.

Comment EEEE2: Parking: This structure will probably only allocate one parking or 1.5 per unit. The overflow parking will extend into the surrounding neighborhoods which are already overcrowded. Businesses in the area are already impacted by overflow parking into areas that should only be used by their patrons. We have actually attempted to park and turned away after attempting to park because there are not spots available. In surrounding apartment areas on garbage days and street sweeping days overflow parking is overflowing anywhere these current residents can find.

Response EEEE2: Please refer to Master Response A. The proposed parking is outlined in Section 2.0 and analyzed for consistency with City standards in Section 4.2

Comment EEEE3: Safety: There are several schools in this neighborhood and already people who cut through speed down the residential streets without regard to the children who may be coming or going to school or residents trying to exit their driveways during commute time. This also includes parents of some students that think once their child is delivered they can speed away to their next stop with no regard to anyone else. As stated, growth is inevitable but well thought out growth is needed. A 7- story building with 650 families is not acceptable. A third party non-biased environmental study is needed. Already there are two new condominium structures that will almost meet the 2020 goal of residential growth in this corridor without adding additional stories. A three-

story structure is more than adequate to meet this goal. We are asking that this plan not be accepted and approved by the planning commission.

Response EEEE3: The EIR was prepared by a consultant working for the City of San Jose. While the developer must cover the cost of the EIR, the developer has no input into the process. The City, as the Lead Agency, is legally responsible for the contents of the EIR and control all aspects of the EIR preparation. The commenters concerns regarding safety and density of the project are acknowledged.

Letter FFFF: The Winchester/Williams Community, November 18, 2014

Comment FFFF1: This letter is being written on behalf of the residents in the community that live in the area that lies within and beyond the noticing boundaries of the proposed development at the intersection of Winchester Blvd. and Williams Rd. We, as a community, have recently become aware of the scale and magnitude of this proposed development. This property is currently zoned for a maximum of 3 stories, but rezoning would allow for a structure of 6 stories to be built which would significantly and adversely impact this community. Our concern with the **negative** impact that this development will have on our neighborhoods and surrounding areas is overwhelming. There are many issues that need to be addressed when the option to re-zone is considered. The issues are as follows:

E.I.R.'s

The Environmental Impact Report for this development must come from realistic and practical evaluations. For example, a traffic flow measurement should not be done during off-peak hours - it should be done during peak hours. Off-peak flow measurements were done with prior developments in this area (Santana Row being the most notable). Further, it is common knowledge that San Jose is one of the few municipalities in the bay area which allows the development company to hire a firm of its choosing to write the E.I.R. Allowing the developer to hire the company that generates the EIR creates an obvious conflict of interest for the community. This is unacceptable. An independent firm that does not report to the developer needs to be hired.

Parking

The structure will house 650 families and provide parking for 900 vehicles, or 1.4 parking spaces per family. In today's society, most families own at least 2 cars, some more, so 1,300 parking spaces for residents will likely be needed. This means as many as 400 cars will need to find parking. Streets adjacent to the condominium complex, which were formerly in quiet neighborhoods, will now be lined with the parking overflow. In addition, the proposed project addition of 8,000 square feet of ground floor retail does not include customer and employee parking space. This is clearly an unworkable situation.

Traffic

The Planning Commission's traffic analysis should be done during the hours of 7AM to 9AM and again between 2PM and 7PM - that is when peak traffic is expected. Current traffic at the intersection of Williams Rd. and Winchester Blvd. during those times is already very heavy. Building 650 residential units at that intersection, where most households will have individuals going to work, and a substantial number of parents will be bringing their children to nearby schools, all in the 7 AM to 9AM time period, will result in intolerable traffic congestion.

A few blocks north on Winchester, at Tisch Ave., is the northbound entrance to freeway 280. This entrance is fed by both directions of Winchester and both directions of Moorpark, and Tisch. During peak hours, there is approximately a 10 minute [sic] wait to gain entrance to the freeway. It is not unreasonable to expect that many of the 650 families will also need access to the freeway, exacerbating this already frustrating situation. The entrance to freeway 280 going in the opposite direction is at the intersection of Moorpark and Leigh. Everything that was said above applies as well to the eastbound traffic on Moorpark traveling to southbound freeway entrance.

The same is true for south bound 280 exiting to Winchester Blvd. (to access the new development from 280 SB). None of the intersections or signals are adequately handling the current traffic, and, with increased residential density and commercial uses at the corner of Winchester and Williams, back up and hazardous conditions will only become worse.

There are other situations which will make the traffic much worse or intolerable by addition of this proposed complex:

- 1) Driving in this area during the Holiday Season is a maddening experience. Christmas shoppers congregate at Santana Row and Westfield Mall, and the traffic in the entire surrounding area is **extremely slow** during this part of the year.
- 2) Even though permits have not yet been filed, the Planning Dept. has already indicated that an additional 650 units of residential/retail is planned for the property where Toys"R"Us is currently located. Also, a 6 story [sic] 220,000 sq. ft. building has been scheduled for construction in Santana Row. **Even though these buildings are not currently in existence, their future impact must be accounted for now in the EIR for Williams & Winchester.** The existing high density housing complex 2 blocks north at the intersection of Winchester Blvd. and Magliocco Dr., together with the 2 major structures planned for the near future, will bring the traffic infrastructure along the Winchester corridor to the breaking point.
- 3) Streets adjacent to the condominium complex, which were in formerly quiet neighborhoods, will now be lined with the parking overflow and heavy traffic from people seeking alternate routes from the main thoroughfares. This presents not only safety concerns with regard to general pedestrian and bicycle traffic, but also safety concerns with regard to children walking, bicycling and traveling to and from school.

Safety

The intersection of Winchester and Williams is already very busy. It is a major thoroughfare for several of the nearby elementary and middle schools. The traffic overflow expected between 7 AM and 9AM will substantially reduce pedestrian safety, particularly for the children walking to school.

Response FFFF1: This portion of the comment letter is a duplicate of the comment letter sent by Mr. Bruce Branan on November 11, 2014. Please refer to Responses KKK1 through KKK7.

Comment FFFF2: Quality of Life in San Jose

Chapter 4 of the San Jose General Plans begins "While all elements of the *Envision San*

Jose 2040 General Plan are intended to preserve and enhance the quality of life for the City's residents, employees and visitors ". This development is contrary to this statement for the many reasons stated within this letter.

Response FFFF3: This is a comment on the project and not on the scope of the EIR. This comment is acknowledged.

Comment FFFF4: The exception in Policy CD-7.9 "**Build new residential development within Urban Village areas at a minimum of four stories in height with the exception that a single row of 2-3 story development, such as townhouses, should be used when building new residential development immediately adjacent to single-family residential sites that have a Residential Neighborhood designation.**" seems to be lost in this proposal.

Response FFFF4: While the project site is adjacent to single-family houses within the *Residential Neighborhood* land use designation, the development proposed is setback 60 feet from the property line to provide a buffer between the project and the adjacent single-family houses on Opal Drive.

Comment FFFF5: Structure out of character with surroundings

All of the single family home sites in the surrounding area are one story residential units, and there are currently no retail/commercial units higher than 3 stories except for Santana Row. A 6 story complex is completely out of place adjacent to single story homes; the visual setting of the area will be dramatically changed. Allowing this structure to be built sends the message that the local community accepts this new construction standard, paving the way for future monstrous developments.

Also, this proposal is not in line with San Jose General Plan 2040, particularly policies **VN-1.10 Promote the preservation of positive character-defining elements in neighborhoods, such as architecture; design elements like setbacks, heights, number of stories, or attached/detached garages; landscape features; street design; etc [sic] and VN-1.11 Protect residential neighborhoods from the encroachment of incompatible activities or land uses which may have a negative impact on the residential living environment.**

This conceptual design in no way incorporates characteristics of the existing neighborhood nor does it blend or conform with the existing character of the neighborhood. It needs to be a transitional piece into an old neighborhood that consists primarily of older, single family [sic], single story [sic] homes with a mix of some multifamily residences of not more than two or three stories.

Response FFFF5: This is a comment on the project and not on the scope of the EIR. As discussed in Section 4.1, *Land Use*, of this EIR, the project is consistent with the City's adopted 2040 General Plan and the targeted growth over the next 25 years along major roadways, including Winchester Boulevard which is a mix of higher-density housing and commercial development. The effects of the 2040 General Plan, including land use compatibility, were addressed in the General Plan Final EIR and fully vetted through the public planning/CEQA process. The commenter's opinion that the project is not consistent with the neighborhood character is acknowledged.

Comment FFFF6: This proposed project will also create a lack of privacy for the homeowners adjacent to the condominiums, and the height of the project will block their light. Property values throughout the surrounding areas will be lowered.

Privacy Concerns

Not only will the proposed development create a lack of privacy for the homeowners adjacent to this development, it will also deny them the right to reasonably enjoy the private use of their backyards. This multilevel development, as proposed, allows views into their private back yards and strips them of the enjoyment of their land that is afforded to other residents of the area. This development, because of its negative environmental impact, will lower property values throughout the surrounding area.

Response FFFF6: Please refer to Master Response C regarding property values. Visual intrusion is addressed in Section 4.1, *Land Use*. Neither the City nor the State have laws or regulations which protect or preserve a property owner's access to sunlight except in relation to existing solar energy systems per the California Solar Rights Act and Solar Shade Control Act. In urban areas, it is typical for buildings of varying heights to be in proximity to each other.

Comment FFFF7: This development is proposed on a site situated on a Grand Boulevard as designated by the City's 2040 plan. Its design should be nothing but grand in creativity and representative of the vision of the City's 2040 plan, and blend the old and the new. The proposed design and height overwhelms the existing neighborhood. It overpowers the existing neighborhood and changes its character to a high-rise metropolitan district look and feel. This is not the look and feel of the neighborhood we chose to live in.

Response FFFF7: The commenter's opinion is acknowledged.

Comment FFFF8: Increase in Density

Increasing the residential density at that site by almost triple is not in keeping with the General Plan's outline of either Commercial Urban Village or Neighborhood Urban Village, which on page 30 of Chapter 1 calls for either "A modest and balanced amount of new housing..." or "Modest increases in housing ... ". Three times the amount of housing is not a modest increase, it is a significant increase and will negatively impact the neighborhood's and the area's infrastructure (use of water, police protection, fire protection, etc.).

Response FFFF8: The proposed project is located within an identified Commercial Center Urban Village and is consistent with the allowable densities for this site under the General Plan. The statement a "modest increase in housing" is in reference to the Urban Village as a whole, not individual properties. Please refer to Section 4.1, *Land Use*, for a discussion of the projects consistency with the General Plan.

Comment FFFF9: Solar Access

Because of the proposed height of this development, properties on the east side of Opal will have a reduced solar access, which will lead to loss of light and change the landscaping. They will experience a looming shadow in the morning hours.

Response FFFF9: Please refer to Section 4.1, *Land Use*, for a complete discussion of shade and shadow impacts. Neither the City nor the State have laws or regulations which protect or preserve a property owner's access to sunlight except in relation to existing solar energy systems per the California Solar Rights Act and Solar Shade Control Act. In urban areas, it is typical for buildings of varying heights to be in proximity to each other.

Comment FFFF10: In Closing

The need for San Jose to grow is understandable. The need to update and expand in order to meet future growth is necessary. The key is to make it successful and sustainable for future generations - it must be done responsibly. It seems that several projects have been managed with a "build it now and deal with it later" approach. The community opposes the re-zoning and this project as it will negatively affect the quality of life for residents and the community as a whole. This project, although it may fit within the City of San Jose's master plan, does not belong in this neighborhood. San Jose is a great city to live in, to work and play in. Protecting its environment for the current residents along with future generations is in everyone's best interest.

Response FFFF10: This is a comment on the project and not on the scope of the EIR. This comment is acknowledged.

Letter GGGG: Andrea Chelemengos, November 18, 2014

Comment GGGG1: Please accept this letter as my comments relative to the preparation of the Environmental Impact Report related to the re-zoning application PDC-14-040 located at the corner of Winchester Boulevard and Williams Road in San Jose.

I believe that rezoning to PD based the application as presented at the Community Meeting of October 20, 2014 will negatively impact the surrounding neighborhoods as outlined below:

Traffic

Traffic at the location and key intersections will be increased and severely impacted and will directly affect the safety of pedestrian, bicyclists and vehicles.

Consideration should be given to the fact that Winchester and Williams is located within a block or two of Monroe Middle School where traffic (both vehicular and pedestrian) is heavy in the morning and afternoon. The proposal calls for use of the two existing egress/ingress on to Williams Road. While the current ingress/egress works now for the current density use of those driveways for a development that proposes triple residential density along with the addition of 8000 feet of commercial use has the potential to present safety concerns with school children walking to and from school.

A few blocks north on Winchester, at Tisch Ave., is the northbound entrance to freeway 280. This entrance is fed by both directions of Winchester and both directions of Moorpark, and Tisch. During peak hours, there is approximately a 10 minute wait to gain entrance to the freeway. It is not unreasonable to expect that many of the additional 650 families will also want access to the freeway, exacerbating this already frustrating situation. The entrance to freeway 280 going in the opposite direction is at the intersection of Moorpark and Leigh. Everything that was said above applies also to the eastbound traffic on Moorpark to that freeway entrance.

The same is true for south bound 280 exiting either to Saratoga Ave or Winchester Blvd. (to access the new development from 280 SB). None of the intersections or signals are adequately handling the current traffic and with increased residential density on top of commercial uses at the corner of Winchester and Williams back up and hazardous conditions will only worsen.

Nearby neighborhood streets will also experience increased traffic and parking adding to safety concerns

The EIR should consider San Jose's plan for further development in the area from Williams to Stevens Creek Boulevard and how concentrated development along Winchester will result in additional traffic, noise and pollution impacts.

Response GGGG1: Please refer to Master Response A.

Comment GGGG2: Parking

The structure will house 650 families and provide parking for 900 vehicles, or 1.4 parking spaces per family. In today's society, most families own at least 2 cars, some more, so additional on-site parking spaces will likely be needed. Without additional on-site parking, streets adjacent to the subject site, which were formerly in quiet neighborhoods, will now be lined with the parking overflow. In addition, the retail stores on the first story will also require parking. This presents not only safety concerns with regard to general pedestrian and bicycle traffic, but also safety concerns with regard to children walking, bicycling and traveling to and from school as well as concerns with children crossing at an intersection with increased traffic and density.

Response GGGG2: Please refer to Response JJJ3.

Comment GGGG3: Safety

The intersection of Winchester and Williams is already a very busy one. It is a major thoroughfare for several of the nearby elementary and middle schools. The tremendous increase in traffic expected between 7AM and 9AM will pose a significantly increased safety hazard for the children walking to school.

Response GGGG3: Please refer to Response JJJ7.

Comment GGGG4: Quality of Life in San José

Chapter 4 of the San Jose General Plans begins "While all elements of the *Envision San José 2040 General Plan* are intended to preserve and enhance the quality of life for the City's residents, employees and visitors..." This development is contrary to this statement for many reasons stated within this letter. The exception in Policy CD-7.9 "Build new residential development within Urban Village areas at a minimum of four stories in height with the exception that a single row of 2-3 story development, such as townhouses, should be used when building new residential development immediately adjacent to single-family residential sites that have a Residential Neighborhood designation. [sic] seems to be lost in this proposal.

Response GGGG4: Please refer to Responses EEEE3 and EEEE4.

Comment GGGG5: Structure out of character with neighborhood

The proposed conceptual design shown to residents at the Community meeting simply does not fit with the surrounding environment, and will create an eyesore. Allowing this structure at its proposed height accepts this new construction standard, paving the way for future monstrous developments. This proposal is not in line with San Jose General Plan 2040 particularly Policies ***VN-1.10 Promote the preservation of positive character-defining elements in neighborhoods, such as architecture; design elements like setbacks, heights, number of stories, or attached/detached garages; landscape features; street design; etc. and [sic]***

VN-1.11 Protect residential neighborhoods from the encroachment of incompatible activities or land uses which may have a negative impact on the residential living environment.

This conceptual design in no way incorporates characteristics of the existing neighborhood nor does it blend or conform with the existing character of the neighborhood. It needs to be a transitional piece into an old neighborhood that consists primarily of older, single family [sic], single story homes with a mix of some multifamily residences of not more than two or three stories.

Response GGGG5: Please refer to Response EEEE5.

Comment GGGG6: Privacy Impacts

Not only will the proposed development create a lack of privacy for the homeowners adjacent to this development it will also deny their right to reasonably enjoy the private use of their backyards. This multilevel development as proposed allows views into private back yards and strips those residents of the enjoyment of their property that is afforded to other residents of the area. In addition this development because of its negative environmental impacts will lower property values throughout the surrounding area.

This development is proposed on a site situated on a Grand Boulevard as designated by the City's 2040 plan. Its design should be nothing but grand in creativity and representative of the vision of the City's 2040 plan and blend the old and the new. The proposed design and height overwhelms the exiting neighborhood. **It overpowers the existing neighborhood and changes its character to a high-rise metropolitan district look and feel.** This is not the look and feel of the neighborhood we chose to live in San Jose. Nor does it reinforce the City's General Plan for Grand Boulevards as defined in chapter 1 page 21 'The Grand Boulevards require extra attention and improvement, including special measures within the public right-of-way, such as enhanced landscaping, additional attractive lighting, wider and comfortable sidewalks, and identification banners. For adjoining land uses, special design standards support cohesive and interesting urban development related to the character of the Grand Boulevard.'

Response GGGG6: Please refer to Response EEEE6. This is a comment on the project and not on the scope of the EIR. The project, as proposed, would provide for wider sidewalks, enhanced landscaping along Winchester Boulevard, new lighting, and pedestrian oriented design features on the buildings as shown in Figures 3 and 4 of this EIR.

Comment GGGG7: Density

Increasing the residential density by almost triple is not in keeping with the General Plan's outline of either Commercial Urban Village or Neighborhood Urban Village which on page 30 of Chapter 1 called for either "A modest and balanced amount of new housing..." or "Modest increases in

housing...” Three times the amount of housing is not a modest increase. It is significant and will have significant negative impacts on the neighborhood and the area’s infrastructure.

Response GGGG7: Please refer to Response EEEE8.

Comment GGGG8: Urban Residential – Chapter 5 Interconnected City

Chapter 5 – page 12 states - This designation is also used to identify portions of Urban Village areas where the density of new development should be limited to a medium intensity in order to provide for a gradual transition between surrounding low-density neighborhoods and other areas within the Urban Village – The proposed rezoning and density increase along with the conceptual design presented at the Community meeting does not uphold this goal The proposed density leans toward the higher density allowance and the conceptual design does not provide for a gradual transition between the existing low-density neighborhood and the proposed development.

Comment GGGG8: This is a comment on the project and not on the scope of the EIR. The proposed buildings do step down to four stories (55 feet) and are set back 60 feet from the western property line in order to provide a transition the adjacent single-family neighborhood as described in Section 2.0 and discussed in Section 4.1 of the DEIR.

Comment GGGG9: Solar Access Impacts

Because of the proposed height of this development, properties on the east side of Opal will experience a change in the solar access which will lead to loss of landscaping, natural light and solar energy access.

Shadowing

As a result of the proposed height of the development the properties and housing along the east side of Opal Drive will experience a looming shadow in the morning hours. Morning/east sun light to those properties will be hindered and cannot be mitigated. Again there will be detrimental impacts on the use of solar energy systems.

Response GGGG9: Please refer to Response EEEE9.

Comment GGGG10: View Shed

The development proposes to vary from 3 – 6 stories. The highest in the boundary area. This building will stick out above all its surroundings and will impact the view and view shed [sic] of the Grand Boulevard. It truly will be a sore thumb and an example of poor planning and blending - similar to the concrete apartment building that looms on the right side of South Bound Winchester between Hamilton and Campbell Ave. – a forward thinking design built years ago that still does not blend with the area and is now being use as a poor example.

Response GGGG10: Please refer to Section 4.7, *Aesthetics*, for a complete discussion of visual impacts.

Comment GGGG11: Infrastructure Impacts

Will the current infrastructure be able to support this development – police, fire etc.

Response GGGG11: It is unclear if the commenter is asking about just emergency services or infrastructure such as water and sanitary sewer lines. Please refer to Section 5.0 for a complete discussion of emergency services plus schools, libraries, and recreational facilities. Please refer to Section 4.13 for a discussion of infrastructure impacts including water, sanitary sewer, the storm drainage system, and solid waste disposal.

Comment GGGG12: Noise, Pollution and Drainage

This development at its proposed density will significantly increase the noise and pollution at this intersection. In addition this intersection currently has a drainage problem (along the south side of Williams adjacent to Winchester). Flooding at that corner can be observed after heavy rains. This development and the site's increase in impervious coverage will only add to the problem. I urge those preparing the Environmental Impact Report relative to this development to consider the comments in this letter, and others received by the community members, and to carefully scrutinize the "real and significant" impacts that the proposed rezoning will have on the existing neighborhood, its character and its residents. Will this development enhance and improve the area or will it overpower, overtake and change the neighborhood? Will the conceptual design of a 3-6 story, stucco and steel building fit in and blend with the existing primarily single story residential neighborhood? While growth and development are inevitable, responsible and considerate planning is called for and this corner piece has as much responsibility to blend with the City's Grand Boulevard concept as it does to serve as a transitional site into an older, lower density residential neighborhood.

Response GGGG12: Please refer to Section 4.4 for a discussion of air quality, Section 4.6 for a discussion of noise, and Section 4.9 and 4.13 for a discussion of the storm drainage system.

Letter HHHH: Deepa Ramkumar, November 18, 2014

Comment HHHH1: This is with reference to the proposed redevelopment of the Reserve from a 216-unit to a 650-unit apartment complex. I request you to kindly record the following comments. Considering that the current peak-time traffic situation is so bad and that there seem to be no plans to better handle the congestion, the additional units will only worsen the traffic and parking nightmare. Each household will have at least two cars and the builder is not providing sufficient parking. This will lead to the neighboring streets being used for all the additional cars, leading to congestion and an increase in car thefts, [sic] too. Also, I am not sure if the plans for any improvements to the public transport facilities will be notable enough to reduce the traffic any time soon. We need good frequency of buses on a variety of routes in order to entice people to use them and that does not seem to be happening quickly.

Response HHHH1: Please refer to Master Response A.

Letter IIII: Peggy Amstutz, November 19, 2014

Comment IIII1: I am writing to comment on the proposed redevelopment of the property at 881 S. Winchester Boulevard in San Jose.

My husband and I have lived in the Eden Avenue neighborhood for over thirty years and we hope to live here for a few more decades. New development projects along the Winchester Boulevard corridor impact us and our quality of life. I have several concerns about the size and scope of the Reserve Apartments Mixed Use Project.

Winchester Boulevard is already congested. Building three times the number of living units than currently exist on this site cannot improve that situation. Increased congestion reduces neighborhood access by emergency vehicles and increases noise and air pollution. Seasonally, it can already take thirty minutes to travel from the Williams Road /Winchester intersection to the Highway 880 / Stevens Creek Boulevard interchange.

The speed limit along Winchester is 40 mph. Even now this contributes to current traffic hazards posed by cars entering and exiting the two driveways whose locations will be unchanged in the new development proposal. Indeed, the driveway closest to Neal Avenue has visibility problems due to street parking and proximity to a bus stop.

Williams Road also has its share of current traffic hazards between Winchester and Eden Avenue, particularly near the driveways to [sic] Grocery Outlet's parking lot. The left turn lane turning north onto Winchester is often beyond full by the time the signal turns green. This blocks vehicles trying to either turn left into Grocery Outlet's lot via the middle two-way turn lane or vehicles trying to turn left onto Williams from both the 7-Eleven lot or from the driveway of the existing apartment complex at 881 S. Winchester. Higher density housing and new retail space near the Williams/Winchester intersection will add to these dangerous conditions.

Response IIII1: Please refer to Master Response A.

Comment IIII2: There is one elementary school that serves the neighborhood. How many families with children would be accommodated by new development?

Response IIII2: Please refer to Master Response B.

Comment IIII3: The number of parking spaces (up to 920) does not sound adequate for both 650 residential units and retail.

Response IIII3: Please refer to Master Response A. The number of parking spaces required is mandated by the City's Municipal Code. As discussed in Section 4.2, the project meets the City's parking requirements.

Comment IIII4: A four- to six-story apartment complex with retail space on this site would be out of harmony with the surrounding residential neighborhoods. It would increase congestion and decrease quality of life for present and future neighborhood residents. I hope that any new development here would be significantly smaller than this giant-sized high-density proposal.

Response IIII4: This is a comment on the project and not on the scope of the EIR. The commenter's opinions and concerns are acknowledged.

Letter JJJJ: Lisa Berthiaume, November 19, 2014

Comment JJJJ1: I would like my comments to be included in the public record for the project "The Reserve" S. Winchester Apartments.

My home backs up to The Reserve Apartment complex. The Reserve property is currently zoned for a maximum of 3 stories, but rezoning would allow for a structure of 7 stories to be built. I am opposed to the rezoning from RM residence to the RM (PD) Planned development.

Response JJJJ1: As outlined in Section 2.0 of this EIR, the project proposes a maximum of six stories along Winchester Boulevard, stepping down to four stories on the western portion of the site. The commenter's opposition to the development is acknowledged.

Comment JJJJ2: I am concerned about the following which include both EIR Scope and Project:

Inappropriate scale of the complex in relation to the neighborhood. The Reserve resides next to a residential neighborhood. Majority of the commercial buildings on Winchester near The Reserve are 1-2 stories.

Response JJJJ2: As discussed in Section 4.1, *Land Use*, the project is consistent with the General Plan designation and the future Winchester Urban Village which plans for intensification of growth along Winchester Boulevard.

Comment JJJJ3: Increased density from 216 units to 650. More people and cars in a neighborhood that cannot support the increase in both.

Response JJJJ3: This comment is acknowledged.

Comment JJJJ4: Loss of sunlight due to the height of The Reserve. My backyard is eastern facing and currently there is unobstructed daylight. A complex exceeding the current 2 story complex will block out daylight.

Response JJJJ4: Please refer to Section 4.1, *Land Use*, for a complete discussion of shade and shadow impacts. Neither the City nor the State have laws or regulations which protect or preserve a property owner's access to sunlight except in relation to existing solar energy systems per the California Solar Rights Act and Solar Shade Control Act. In urban areas, it is typical for buildings of varying heights to be in proximity to each other.

Comment JJJJ5: Loss of privacy. The proposed height and design is too tall and too invasive.

Response JJJJ5: This comment is acknowledged.

Comment JJJJ6: Environmental impact:

Loss of bird population. There are many mature trees that will be lost, and this will impact the birds and their nesting habits.

Air pollution due to demolition and disturbance of the ground to excavate a former orchard in order to create underground parking. We have elderly neighbors and neighbors with lung issues that live next to The Reserve.

Noise pollution. Not only during construction (including pile driving), [sic] but the noise from the high density. Entrance to underground parking on the other side of our fence will result in increased traffic noise.

Increased water consumption.

Response JJJJ6: All issues raised in this comment are addressed in the EIR. Please refer to Section 4.10 for impacts to birds, Section 4.4 for air quality, Section 4.6 for noise, and Master Response D for water supply.

Comment JJJJ7: Safety: Lynhaven elementary school is just over a 1/2 mile away from The Reserve Apartments. Concern for the children walking to school. Drivers already cut-through our neighborhood and the unsafe speed at which they travel puts children, seniors, and adults at risk.

Traffic: The environmental impact needs to study traffic at commute time at:
San Tomas Expressway which is already congested at commute time
Winchester North bound traffic is congested
Santana Row gridlock

Response JJJJ7: Please refer to Master Response A.

Comment JJJJ8: Inconsistent with the 2040 Plan: There isn't the infrastructure that was supposed to be in place before horizon 3 was to be put in place. There is no light rail proposed for Winchester.

Response JJJJ8: While General Plan Development Horizon 3 has not yet been reached and an Urban Village Plan has not been completed for the Winchester corridor, the General Plan allows for residential development on properties with a residential General Plan Land Use designation. The project site has an *Urban Residential* General Plan Land Use designation, so residential development consistent with this designation can proceed absent the approval of an Urban Village Plan and opening of Horizon 3 development capacities.

Comment JJJJ9: Parking: We currently have parking issues in the neighborhood.
Overflow from existing apartment complexes negatively impact our neighborhood
We can't park in front our houses when we arrive home in the evening
Our driveways have been blocked

Response JJJJ9: Please refer to Master Response A.

Comment JJJJ10: Near term projects: There are other projects that need to be considered. Their future impact must be accounted for now in the EIR for Williams & Winchester.

Additional 650 units of residential/retail is planned for the property where Toys“R”Us is currently located.

6 story 220,000 sq. ft. building has been scheduled for construction in Santana Row. The existing high density housing complex 2 blocks north at the intersection of Winchester Blvd. and Magliocco Dr., together with the 2 major structures planned for the near future, will bring the traffic infrastructure along the Winchester corridor to the breaking point.

Response JJJJ10: The impacts of the proposed project, when combined with existing development, approved development, and reasonably foreseeable development, is addressed in Section 6.0 of this EIR.

Letter KKKK: Mark Berthiaume, November 19, 2014

Comment KKKK1: This is regarding the re-zoning request PDC14-040 for the Reserve Apartments at Winchester and Williams.

I and every neighbor I've spoken to are opposed to this zoning change.

1. The EIP [sic] should address the loss of property value for all the single family homes adjacent to this project.

Response KKKK1: Please refer to Master Response C.

Comment KKKK2: 2. Increase of traffic due to tripling the amount of existing units (also in conjunction with the other planned developments on Winchester (Century Theaters and Toys R Us properties).

Response KKKK2: Please refer to Master Response A.

Comment KKKK3: 3. Loss of privacy for several block radius. There will be hundreds of windows facing down on our yards. Also looks like there will be roof top decks, for more invasion of privacy.

4. High rise will dominate the sky line and views, as well as a loss of sunlight and privacy.

Response KKKK3: Please refer to Section 4.1, *Land Use*, for a complete discussion of visual intrusion and Section 4.7, *Aesthetics*, for a discussion of visual impacts. Please note that neither the City nor the State have laws or regulations which protect or preserve a property owner's access to sunlight except in relation to existing solar energy systems per the California Solar Rights Act and Solar Shade Control Act. In urban areas, it is typical for buildings of varying heights to be in proximity to each other.

Comment KKKK4: 5. Two plus years of construction behind us will render our yards unusable due to heavy equipment, noise, dust and dirt. This is just unacceptable.

Response KKKK4: Please refer to Sections 4.4 and 4.6 for a complete discussion of air quality and noise impacts related to construction activities. Also please note in Section 4.6 the restrictions on times and days when construction can occur per the Municipal Code.

Comment KKKK5: 6. The loading docks, delivery trucks, dumpster's & truck pick-ups will cause excessive noise & pollution for the adjacent homes.

Response KKKK5: All activities noted above would occur along the Winchester frontage or within the parking structure. The only off-loading that would occur on the western side of the buildings would be tenants moving in and out of the buildings. Please see Section 4.6 of the EIR for a discussion of noise impacts.

Comment KKKK6: 7. Parking! The number of parking spots is completely inadequate, even if it meets what is required. The current requirement is an antiquated formula that is not realistic on any project in this day and age. A more realistic requirement would be

Studio - 1 car

1 BD - 2 car

2 BD - 3 car

920 spots for 640 units is nowhere near enough!

We already have a parking issue on our street due to the existing apartment building (The Reserve) and the 4-plexes on Opal Drive that only provide one carport space per unit. There is a huge increase in parking sprawl in front of the single family homes as it is. We cannot park in front of our own homes. I believe this problem will no doubt be compounded with 640 new units and not enough parking allotted for the residents.

Response KKKK6: It is understood that the commenter does not agree with the City's established parking requirements. Nevertheless, the parking requirements outlined in the Municipal Code are the standard by which new development comply. As discussed in Section 4.2, the proposed parking meets the City's parking requirement.

Comment KKKK7: 8. The State of California has asked us to reduce our water usage due to the drought. It's not environmentally responsible to build, build and build some more, at the same time as we are letting our expensive landscapes die and live with the threat of fines for over usage by the San Jose Water Company. Is there enough water for the hundreds of additional people?

Response KKKK8: Please refer to Master Response D.

Comment KKKK9: 9. Can our local schools take on the additional kids?

Response KKKK9: Please refer to Master Response B.

Comment KKKK10: 10. Can you show us one development of this size in our area that was built next to nice residential homes like ours, I don't think you will find one.

Response KKKK10: The proposed project is one of the first large scale projects proposed within the Winchester Urban Village so the commenter is correct that at this time, there are no similar developments in the vicinity. Nevertheless, the project is consistent with the

General Plan, as discussed in Section 4.1 and the City's plan of intensification of growth along Winchester Boulevard.

Comment KKKK11: We should be vehemently opposed to all high density without proper planning including traffic, water, schools and parking. We can't build now and fix traffic later, if you want to build you must address the parking and traffic that will come with the Reserve development as well as the other projects coming to Winchester Blvd. You can't take each project by it self [sic] you must look at the entire area including the Toys-R-Us and century theatre lots. If all these projects are permitted there will be horrible traffic every day, not just at the holidays.

I feel that there is no concern for the residents in my neighborhood. We don't want a monstrosity of this magnitude in our neighborhood. We are very crowded as it is! This project is adjacent not to existing multi-housing, but to single family [sic] homes. This is a nice neighborhood and we pay a great deal to live here. This project will negatively affect our quality of life in our own homes! Our opinions should matter and be seriously addressed!

Response KKKK11: The commenters concerns are acknowledged.

Letter LLLL: Alison Breeze, November 19, 2014

Comment LLLL1: I am strongly opposed to the proposed high density mixed housing and retail development (file # PDC14040) at the northwest corner of Winchester Blvd and William Rd, currently the location of The Reserve Apartments.

First and foremost, this proposal is **not consistent with the San Jose Envision 2040 Plan**. It is, in fact, highly inconsistent. In that plan, this region is designated for Horizon 3 development during the final phase of the 2040 Plan. San Jose crafted the Envision General Plan to occur in phases in order to carefully manage the city's growth. The City Council is supposed to consider whether the jobs/housing balance, fiscal sustainability, and infrastructure are sufficiently strong to move into each subsequent Plan Horizon. The current proposal completely bypasses the correct process, jumping this area from Horizon 3 up to Horizon 1. This is a jump of a good 15-20 years ahead of the planned time frame and certainly before the Council has properly considered whether the sustainability and infrastructure are sufficient for this location. While the plan also allows for the creation of "Signature Projects", I believe that this proposal should not qualify for the reasons enumerated below.

Response LLLL1: General Plan Development Horizon 3 has not yet been reached, but the General Plan allows residential development on properties with a residential General Plan Land Use designation. The project site has an *Urban Residential* General Plan Land Use designation, so residential development consistent with this designation can proceed absent the approval of an Urban Village Plan and the opening of Horizon 3 development capacities.

Comment LLLL2: In truth, the infrastructure in this area is quite insufficient for the proposed development. There is distinct shortage of public transportation in the area. Not only are there no plans to add more in the near term, but there seems to be inadequate space on Winchester to add light rail even at a later date. The roads are already congested with large amounts of traffic and cannot handle the significant influx of cars (residential and commercial) that would result from this

development. The increase in traffic congestion would present harsh challenges for emergency vehicle access through the area in any sort of timely fashion, [sic] putting lives and property at risk. Local schools are not equipped to handle the increase in population. The planned additional parking volume is ludicrously small compared to what would be required for the number of additional residents and commercial visitors, which would in turn pass the lack of parking burden onto the surrounding neighborhoods for a several block radius. The list goes on, and the conclusion is clear – this area does not have infrastructure to sustain such high density development at this time.

Response LLLL2: Please refer to Master Responses A and B.

Comment LLLL3: The Envision 2040 plan was composed in order to guide San Jose's development and growth in a logical, carefully managed fashion. This development proposal negates that process, attempting to insert high density into a location that cannot currently support it. For the sake of the citizens of San Jose and for the city's long-term success, I urge you to decline the PDC14040 proposal at this time.

Response LLLL3: The commenters opinion regarding the project are acknowledged.

Letter MMMM: Ken Coleman, November 19, 2014

Comment MMMM1: I would like to add my comments to the public record. I live on Opal Drive, just behind the proposed project.

1. With a ratio of 1.4 parking spaces per unit, and proposed tripling of the total number of Apt units, where will the overflow parking take place? We currently have cars parking on Opal Drive from the current Apt [sic] complex. Currently, neighbors put Safety Cones in front of their homes on Williams and Opal Drive to keep parking spaces open for their own cars.
2. With the ratio of 1.4 parking spaces per apt for the proposed project, how many tenants will it take to support the anticipated rents of \$3,000 plus per apt? Since transit is limited, most tenants will drive to work. How many tenants will in fact drive to work, and how many income earners with a vehicle will there be per apt unit?
3. With the addition of retail space for this project, and only 1.4 parking spaces per apt unit, how many parking spaces will be set aside or provided for Retail customers? Will the retail parking spaces be in addition to the 1.4 parking spaces per apt unit?

Response MMMM1: The parking requirements outlined in the Municipal Code are the standard by which new development comply. As discussed in Section 4.2, the proposed parking meets the City's parking requirement. As noted in Section 2.0, the retail parking is separate from the residential parking.

Comment MMMM2: 4. Of the total number of tenants planned for this proposed project, how many tenants will take mass transit? How many will drive?

5. With some overflow and retail parking on Winchester Blvd, will the slow lane of Winchester Blvd be safe for buses to pass when a parked car door is open? Currently buses are forced over the white line to safely pass an open car door.

6. What impact will traffic and the increase traffic levels be on Winchester Blvd with this proposed project.

7. What impact will traffic and the increase in traffic levels be on Winchester Blvd when this and 2 additional proposed high density projects are built?

8. With the anticipated traffic levels, what will the additional pollution impact be to the surrounding neighborhoods, and Opal Drive?

Response MMMM2: Please refer to Master Response A and Section 4.4 for a discussion of air quality impacts.

Letter NNNN: Gene Gauzner, November 19, 2014

Comment NNNN1: I live in the neighborhood close to the proposed development, and I strongly oppose building of the 6-story structure in our neighborhood.

I fully understand the need for additional housing in San Jose, but proposed building in this neighborhood seems unreasonable.

Here are my arguments:

1. Height negative visual effect. The max height of the proposed building (95 ft) is absolutely out of the character of the neighborhood, and it will negatively impact visual properties of the area. There are no buildings in the surrounding area even close in height to 95 ft.

Response NNNN1: Please refer to Section 4.7, *Aesthetics*, for a complete discussion of visual impacts.

Comment NNNN2: 2. Transportation parking.

Proposed 920 parking spaces are not nearly enough for 650 families in the proposed apartment complex. Practically all working families today are 2cars families, and sometimes even more (when kids are grown and have their own cars). So proposed lack of parking will cause parking on the surrounding residential streets. This will affect quality of life for the existing residents, and make residential streets more dangerous.

Response NNNN2: The City's parking requirements are outlined in the Municipal Code. As discussed in Section 4.2, the project is consistent with the parking requirement. Please refer to Master Response A.

Comment NNNN3: 3. Transportation access.

The proposed access to the complex is from Winchester and Williams streets. These streets are already overloaded with traffic. Adding 1,000 more cars during commute hours into Winchester

Williams intersection will make this intersection an even worse bottleneck for the traffic. And it will make the streets near intersection more dangerous.

Response NNNN3: Please refer to Master Response A.

Comment NNNN4: I ask City to reject this project in its current scope.

But if the size of the project is reduced, for example by reducing the height to 3-4 stories, and reducing the number of units to 300-400, than it will become more acceptable.

Response NNNN4: This comment is acknowledged. Please see the alternatives section of the EIR in Section 6.0.

Letter OOOO: Raymond Hills, November 19, 2014

Comment OOOO1: I purchased my home on Williams Road in 1960 when we were just beginning our family. My eldest son was 6 months old at the time that we moved in. There was a pear orchard at the corner of Winchester and Stevens Creek with prune and cherry orchards abundant down Winchester toward Los Gatos. Highway 17 was being completed, but did not yet connect San Jose to Los Gatos and 280 was non-existent. There was no stop light at the corner of Winchester and Williams. I provide this information as a back drop for the rural nature of the area and although I did not expect it to stay that rural, there was no way that the nature and extent of the development was expected. It was an ideal setting for raising a family, and matched my view of the family friendly city of San Jose. Never in the subsequent 54 years have I been asked my opinion about the growth that has happened, nor have I been asked to vote, something I take very seriously, about the nature or extent of the growth that directly affects my neighborhood. My home initially was in the county, but was incorporated into the city without the neighborhood consent.

This brings me to the current proposal for a giant housing development less than one block from my house. I did not complain about the 200+ apartment complex that was built at that corner, but in hind sight probably should have. When we were taken into the city without consent, I talked with city workers who assured me that no development would take place in this area, including where Santana Row is located, until rapid transit was available. To date extensive development has occurred and there is no sign of adequate transit development.

We are now being asked to conserve on water which is not adequate for the number of people in the area while extensive amounts are used in various stadiums, including new ones, and building a huge number of new housing units in various parts of the city. Where is the concept of not developing beyond the resources that are currently available?

Response OOOO1: These comments are acknowledged. Please refer to Master Response D.

Comment OOOO2: Parking will be a major issue when this much development occurs with minimal parking per unit as is currently being planned. It is time to consider something radical like making the developers provide enough parking rather than piece together inadequate solutions after the fact to “mitigate” the problem. I am told that the value of my property will increase, which is

hard to understand since it will not be a desirable [sic] area in which to live. Apart from that, I do not want to live in an area where only the wealthy can afford to buy a home. My intent was to buy a family home that would be available to my children and grandchildren for many [sic] years to come, but the value is now such that my heirs will not be able to afford to live in this area.

Response OOOO2: Please refer to Master Response A in regards to parking and Master Response C regarding property values. The commenter's opinions regarding property values and affordability are acknowledged.

Comment OOOO3: All I am asking is for:
Development to follow not precede the availability of the resources necessary to sustain a comfortable life style;

Sincere involvement of the community rather than fulfilling a requirement for public comment, when deciding the direction and extent of the development before decisions have been made;

Provision of rapid transit systems before development is even considered in any area;
Provision of ample water before ANY more development is undertaken within the city of San Jose;

Quality of life in all areas of the city take precedent over economic development and that creative ways be considered to provide development when there are ample resources.

I feel that these things should be provided in any city, whether it be San Jose, Los Gatos, Campbell or

Response OOOO3: These comments and suggestions are acknowledged.

Letter PPPP: Russell Hills, November 19, 2014

Comment PPPP1: These are a few of my numerous concerns regarding the proposed development at Winchester Blvd. and Williams Rd.

Transit – Traffic is already flowing through surrounding neighborhoods trying to bypass the backups on Winchester Blvd. Police already have no resources to deal with the speedways that have developed on residential streets near Monroe middle School. Infrastructure MUST be installed and in place before this development is allowed to move forward. the [sic] area is already at the breaking point without any additional development. During the December traffic already backs up to Payne Avenue headed towards Valley Fair and Santana Row. There is one Bus that travels Winchester Blvd? Is that enough to deem the street a Transit corridor?

Response PPPP1: Please refer to Master Response A.

Comment PPPP2: The General Look – The proposed complex is far bigger than anything in the residential based area. The project should not exceed three stories like a similar development down the street and complement the residential area. The proposal as shown fits more in line with that disaster of a complex known as Santana Row across the freeway.

Response PPPP2: The proposed project is one of the first large scale projects proposed within the Winchester Urban Village so the commenter is correct that at this time, there are no similar developments. Nevertheless, the project is consistent with the General Plan, as discussed in Section 4.1 and the City's plan of intensification of growth along Winchester Boulevard.

Comment PPPP3: Parking – 600+ residential units and retail underneath with 900 parking spots. The complex's residents already park in the surrounding neighborhoods with their excess cars. A huge increase to the number of parking spaces is required.

Response PPPP3: The City's parking requirements are outlined in the Municipal Code. As discussed in Section 4.2, the project is consistent with the parking requirement.

Comment PPPP4: Natural Resources – The environmental impact to the area is huge. There doesn't seem to be any addressing [sic] green building/recycling practices. Rainwater/Graywater recycling, Solar, Energy efficiency and other practices were nit [sic] addressed. On top of these issues there are dozens of beautiful old growth trees that will be destroyed and not replaced.

Response PPPP4: The environmental impacts of the proposed project area addressed in this EIR. In particular, please note the discussion of proposed Green Building Measures in Section 2.0 and, 4.3, and 4.5. Please refer to Section 4.10 for a discussion on loss of trees.

Comment PPPP5: Area Resources – The Police already cant [sic] respond to some of their increasing calls and city services are suffering. Water usage is not addressed and in general not with any of the huge developments in San Jose.

Response PPPP5: Please refer to Section 5.0 for a discussion of emergency services. Please refer to Master Response D for water supply.

Comment PPPP6: In closing, this cookie cutter development is not a good addition in this primarily residential neighborhood and needs to be modified and reduced in scale. It takes quality of life from the area and adds little to no benefit to the surrounding residents.

The Williams/Winchester Community urges you to carefully consider the full impact that this project will have on the immediate future as well as on the long-term future of the people that will be directly affected by your decisions.

San Jose is a great city to live in, to work and play in. Protecting it's environment for the current residents along with future generations is in everyone's best interest.

Response PPPP6: The commenter's opinions are acknowledged.

Letter QQQQ: Dianne Rosano, November 19, 2014

Comment QQQQ1: Input to PDC14-040 The Reserve 863-917 S. Winchester Blvd.

I feel that the project currently the way it exist shall not be granted a planned development zoning change. To mix residential with retail is not a very good use of this property as it doesn't have great access. Delivery trucks are going to have a lot of problems getting in and out of this section of Winchester and will stop traffic to make their deliveries. I understand the city wants to generate sales tax but this location should stay residential.

Tripling the amount of units from 216 to 650 is an outrageous increase in density. 85 units an acre will generate too many people, too many cars only 920 parking spaces doesn't even come close to addressing this issue of where the rest of the cars going to park. Permit parking is not the answer as it just doesn't work. Don't add this many units and your problem is solved.

Response QQQQ1: The commenter's opinions are acknowledged.

Comment QQQQ2: Traffic cut through traffic on the neighboring streets, Intersections that are currently protected will just get worse and level D intersections will become protected so that the City can just add more stack and pack density to our neighborhood. I say enough is enough and don't build it here. Adding more congestion to already over impacted streets should not be allowed.

Response QQQQ2: Please refer to Master Response A.

Comment QQQQ3: This development is adjacent to single family homes and we need to protect our neighborhood from impacting our quality of life for the existing residence. Heights of 85 to 95 and 45 feet bldg. envelope for the one story houses in the back is unacceptable .. I would like to see no more than 2 stories in the back so that residence can still enjoy their privacy, lighting etc.

We have no access to public transit and to build density to this magnitude with the idea of virtually stopping our street will cause slow response times for emergency vehicles might even cause death.

Over crowded [sic] conditions as far as adding to many people will impact our schools, sewer, response times for emergency vehicles. The other developments also need to be factored in this EIR intersections that operated an [sic] D levels right now shall not progress to protected or F intersections. Just stop building your creating problems.

Response QQQQ4: All the concerns raised by the commenter have been addressed in this EIR. Please refer to Section 4.1, *Land Use*, for a discussion of land use compatibility, Section 5.0, *Public Services*, for emergency services, Section 4.13, *Utiltiies and Public Services*, for sewer capacity. Please refer to Master Responses A and B for traffic and schools.

Letter RRRR: Michael Sands, November 19, 2014

Comment RRRR1: Leila, I am writing again to urge the City Council not to approve the proposed project at Winchester Blvd. and Williams Road in San Jose (at "The Reserve Apartments").

The existing transportation infrastructure in the immediate area cannot support such an oversized project. Winchester Boulevard is already a very busy street with little capacity for further traffic expansion. Traffic already slows to a standstill near Santana Row. It is likely traffic on Winchester

will also be impacted by several higher density projects proposed for Winchester, such as the Century theater location and Toys ‘R Us. This project will only add to the problem and make it worse.

Response RRRR1: Please refer to Master Response A.

Comment RRRR2: Urban villages are usually sited where light rail service exists, but Winchester has no light rail service, and the only public transportation available consists of slow and inefficient bus service, which most people cannot realistically use to meet transportation needs.

Response RRRR2: As shown in the City’s General Plan, there are several types of Urban Villages planned throughout the City, many of which are not currently served and will not be served in the future by light rail. Transit accessibility and connectivity is only one component of the overall Urban Village concept. The Winchester Urban Village is designated as a Commercial Urban Village, a type of village that is planned to take advantage of the redevelopment potential for existing, underutilized commercial sites. Commercial Urban Villages will function as complete destinations that integrate a mix of high density housing, employment, and services within existing key business areas to create dynamic urban settings and facilitate walking and biking to key destinations.

Comment RRRR3: It is worth noting that Winchester Boulevard is not a very walkable street (stores and shopping centers are spread far apart, traffic is noisy and crossing the street is difficult and dangerous), which means that any tenants who live on Winchester will almost certainly seek to use cars for transportation.

Response RRRR3: The commenter’s opinion regarding the likely transportation modes of future residents is acknowledged. Please note that all projects proposed within the Urban Villages are required to implement street frontage improvements per City policies to improve the pedestrian experience. Furthermore, the proposed project is one of the first projects proposed within the Winchester Urban Village. It is reasonable to assume the more services will be constructed and streetscape improvements will occur over time as the Urban Village is developed.

Comment RRRR4: Since traffic on Winchester is already close to full capacity, if 630 new tenant are added at Williams and Winchester, the effect will be to create a traffic logjam in the immediate area and will bog down Winchester Blvd. in the vicinity of Williams and Winchester, particularly during rush hour as hundreds of cars enter and exit the location.

Response RRRR4: As shown in Table 4.2-7, under existing conditions, the intersection of Williams and Winchester operates at LOS D in the AM Peak Hour and LOS C in the PM Peak Hour. While the proposed project will increase the overall delay at this intersection, it will continue to operate at an acceptable LOS D in both Peak Hours. Per City policy, LOS D is an acceptable operating level of service for City controlled intersections. Because the intersection would operate at LOS D, the roadways are not and would not be at or over capacity with the proposed project.

Comment RRRR5: Parking has not been thought out by the developers of this project. If 630 new tenants are to live in such a small area, at least twice as many parking spaces will be needed for all the cars they will need, not 900. The effect will be traffic spillover onto adjacent single family residence communities such as Opal Drive and surrounding streets. What about parking for the commercial stores on the ground floor? Again, the developer has not come up with solutions and intends to shove the problem onto the surrounding community.

Response RRRR5: Please refer to Master Response A.

Comment RRRR6: Streets that run parallel to Winchester Blvd. are already impacted by the heavy traffic on Winchester. Eden Ave. in particular has high traffic for a residential street and children who attend Lynhaven Elementary school cross Eden Ave. and surrounding streets when they walk to and from school. This project will make conditions less safe for the kids. Another concern is the ability of emergency services (fire, police, and ambulance) to get to their destinations timely, which may not happen if Winchester Boulevard is bogged down with heavy traffic.

Response RRRR6: Please refer to Master Response A regarding traffic and pedestrians. Please refer to Section 5.0 for a discussion of emergency services.

Comment RRRR7: Although higher density may be inevitable in the future, wouldn't it make sense to spread the density along the entire corridor, rather than piling a huge number of people in one location that will create burdens for the adjacent community? If higher density is spread along the entire boulevard, these bad effects will be mitigated. Perhaps apartment buildings along Winchester could all be converted to 3 stories gradually along the entire route, which would help spread the density around.

Response RRRR7: It is unclear what geographical area the commenter is referring to when referencing the "entire corridor". Nevertheless, as shown on the City's Urban Villages Map (<http://www.sanjoseca.gov/documentcenter/view/23311>) the entire length of Winchester Boulevard from the Santa Clara border south to the Campbell border is planned for future growth under the Urban Villages.

Comment RRRR8: This is a bad idea for all the reasons above. Please join me and others in refusing a re-zoning of the parcel. Any new development on the site should not be more than 3 stories tall.

Response RRRR8: The commenter's opinions are acknowledged. Please note that under the current zoning on the project site, buildings taller than three stories (up to 45 feet) could be constructed.

Letter SSSS: Scott Smith, November 19, 2014

Comment SSSS1: I am writing to outline my serious reservations to the rezoning, size and scope of the proposed redevelopment of the Reserve Apartments at Williams and Winchester Ave. If The Reserve needs to be redeveloped, it should to be done [sic] in a responsible manner that works with the existing communities that surround it. The proposed plan for the site does not do that. I

simply maximizes the amount of housing that can realistically fit on the site with little regard for its neighbors who have been in place for over 50 years.

Response SSSS1: The commenter is correct that the proposed project does try to maximize development on the site that will realistically fit. As discussed in Section 4.1, *Land Use*, the project is consistent with the City's adopted 2040 General Plan and the targeted growth over the next 25 years along major roadways, including Winchester Boulevard which is a mix of higher-density housing and commercial development. The effects of the 2040 General Plan, including land use compatibility, were addressed in the General Plan Final EIR and fully vetted through the public planning/CEQA process. The commenter's opinion that the project is not consistent with the surrounding neighborhoods is acknowledged.

Comment SSSS2: Instead of setting a style and tone for the redevelopment of Winchester, the city seems content to approved any design on any block and create a hodgepodge of styles that does not provide the consistency necessary to build a true community.

The money to do these types of projects will not disappear anytime soon. The city needs to have the foresight to control the process and not abdicate it to developers who could careless [sic] about anything outside their own property.

Response SSSS2: The commenter's opinions are acknowledged.

Comment SSSS3: That being said, the current plan for The Reserve faces many logistical issues including:

The increase in density brought on by proposed development is too high for less than 1 mile of Winchester Blvd.

The Santana Row/Century Theater Extension. The old Century 24 property. The Toys R Us property. The Reserve. The addition of thousands of new residents – all within blocks of each other. Too much development along this Winchester corridor will only serve to make it unnavigable. The traffic jam that currently starts in Late [sic] November and ends in January, would now be year round. The city would be better served moving development along light rail routes like the area next to Bascom Station. There you would have access to mass transit as well as freeways. Additionally you have a major employer in Ebay within walking distance.

Response SSSS3: Please refer to Master Response A and Response SSSS1. Please note that the area around Bascom Station is already planned as an Urban Village.

Comment SSSS4: Insufficient parking for residents:

As it stands now there overflow [sic] parking from the current apartment complex spills into Lynnwood neighborhood causing a host of problems for longtime residents of the area. This new complex will only increase the problem since sky-high rental rates mean that multiple occupancy of single bedroom apartments and studios. These renters need to drive since the proposed development is not situated anywhere close to a mass transit system to get them to work. Realistically we are looking at (2) spaces [sic] per bedroom/studio which is well below what is offered.

Response SSSS4: The commenters concerns regarding overflow parking is acknowledged. Please note that parking requirements are set in the Municipal Code and the project is consistent with those requirements.

Comment SSSS5: Site limitations on retail space create no value to the area.

The proposed development includes a retail component which will add no value to the neighborhood. To be successful, a retailer would need a wide spectrum of hours and plenty of parking. The proposed development offers neither. During the day, while its residents are at work, the retailer might have a few parking street parking spaces [sic], but during the evenings and weekends residents or visitors to residents would cause those spaces to evaporate. Without easy access to shops, customers will go elsewhere.

Response SSSS5: Retail parking will be provided within the parking structure as outlined in the project description in Section 2.0.

Comment SSSS6: And what about the types of retailers that might want space? A large grocery store? Not enough parking. (Plus Safeway still holds the Winchester/Payne store lease) Small grocery store? Too much competition from Grocery Outlet/7-11 and not enough parking. Yoga Studio or Health Club? No parking again. Restaurant? Limited hours and no parking. What does that leave us with? Hair Salon? Nail Salon? Another Coffee Shop? These offer nothing different or of value to residents.

Response SSSS6: The commenter's opinions are acknowledged.

Comment SSSS7: High traffic in a School Zone

Monroe Middle School lies just across the street from the proposed development. Kids cross Winchester every day to get to and from school. The proposed developments at Winchester and Williams and at the recently sold Toys R Us site (which is slated for more housing) will add hundreds of more vehicles road [sic] and only serves to increase the potential for tragedy.

Response SSSS7: Please refer to Master Response A.

Comment SSSS8: Lack of infrastructure improvements (Roads, School, Fire, Police)

City improvements have been pushed down the road for years. When streets in the area need repair, no money was available and so residents have done without.

The infrastructure improvements that should go hand-in-hand with any development of this size are once again missing. Additional funds for Police, Fire and Schools to deal with the new residents are once again not accounted for. Funds for roadway improvements and increases in traffic are missing as well. Unless these funds are allocated now, the city will never allocate them and residents will be left to deal with overloaded infrastructure and the problems it brings.

Response SSSS8: Please refer to Section 5.0 of this EIR for a complete discussion of the projects effects on emergency services and schools. Also, please note in Section 5.5 a complete discussion on school impact fees that must be paid by the proposed development. Section 4.2 of the EIR addresses traffic impacts and required mitigation measures. It should be noted that there is no nexus to require any new development in any area of the City to pay

fees for additional emergency services or roadway improvements (such as repaving) without the project resulting in a clearly identifiable impact.

Comment SSSS9: Poor Freeway Access and Lack of access to Mass Transit.

At 8am in the morning and a thousand new residents get in their cars and go to work. How? There is no mass transit. The turning lane from Winchester onto 280N can only hold 10 cars before it backs up onto Moorpark. The new tenants of Santa Row [sic] will be trying to get on the same ramp from their side of Winchester, but they will be backed up into their parking garage. The closest 280S access is down Moorpark beyond the hospital and San Jose City College. Once again, without change to the infrastructure this will become a commuter's nightmare.

If the city chooses to take a leadership role compromises can be made on both sides, but as it stands today THE RESERVE redevelopment should not move forward.

Response SSSS9: Please refer to Master Response A. The commenter's opinions are acknowledged.